

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 1804**

**AMENDMENT**  
**TO**

**SENATE AMENDMENT**

***In the House of Representatives, U. S.,***

*February 23, 1994.*

*Resolved*, That the House agree to the amendment of the Senate to the bill (H.R. 1804) entitled “An Act to improve learning and teaching by providing a national framework for education reform; to promote the research, consensus building, and systemic changes needed to ensure equitable educational opportunities and high levels of educational achievement for all American students; to provide a framework for reauthorization of all Federal education programs; to promote the development and adoption of a voluntary national system of skill standards and certifications, and for other purposes”, with the following

**AMENDMENT:**

In lieu of the matter inserted by said amendment, insert:

1 ***SECTION 1. TABLE OF CONTENTS.***

2 *The table of contents for this Act is as follows:*

3 ***TITLE I—GOALS 2000: EDUCATE AMERICA ACT***

*Sec. 101. Purpose.*

*PART A—NATIONAL EDUCATION GOALS*

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*PART B—NATIONAL EDUCATION REFORM, LEADERSHIP, STANDARDS, AND ASSESSMENTS*

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1     **TITLE I—GOALS 2000: EDUCATE**  
2                     **AMERICA ACT**

3     **SEC. 101. PURPOSE.**

4             *The purpose of this Act is to provide a framework for*  
5     *meeting the National Education Goals established by title*  
6     *I of this Act by—*

7             (1) *promoting coherent, nationwide, systemic*  
8             *education reform;*

9             (2) *improving the quality of learning and teach-*  
10            *ing in the classroom and in the workplace;*

11            (3) *defining appropriate and coherent Federal,*  
12            *State, and local roles and responsibilities for edu-*  
13            *cation reform and lifelong learning;*

14            (4) *establishing valid, reliable, and fair mecha-*  
15            *nisms for—*

16                 (A) *building a broad national consensus on*  
17                 *American education reform;*

18                 (B) *assisting in the development and certifi-*  
19                 *cation of high-quality, internationally competi-*  
20                 *tive content and student performance standards;*

21                 (C) *assisting in the development and certifi-*  
22                 *cation of opportunity-to-learn standards; and*

23                 (D) *assisting in the development and cer-*  
24                 *tification of high-quality assessment measures*

1           *that reflect the internationally competitive con-*  
2           *tent and student performance standards;*

3           *(5) supporting new initiatives at the Federal,*  
4           *State, local, and school levels to provide equal edu-*  
5           *cational opportunity for all students to meet high*  
6           *standards and to succeed in the world of employment*  
7           *and civic participation;*

8           *(6) providing a framework for the reauthoriza-*  
9           *tion of all Federal education programs by—*

10           *(A) creating a vision of excellence and eq-*  
11           *uity that will guide all Federal education and*  
12           *related programs;*

13           *(B) providing for the establishment of high-*  
14           *quality, internationally competitive content and*  
15           *student performance standards that all students*  
16           *will be expected to achieve;*

17           *(C) providing for the establishment of high*  
18           *quality, internationally competitive opportunity-*  
19           *to-learn standards that all States, local edu-*  
20           *cational agencies, and schools should achieve;*

21           *(D) encouraging and enabling all State*  
22           *educational agencies and local educational agen-*  
23           *cies to develop comprehensive improvement plans*  
24           *that will provide a coherent framework for the*  
25           *implementation of reauthorized Federal edu-*

1            *cation and related programs in an integrated*  
2            *fashion that effectively educates all children ena-*  
3            *bling them to participate fully as workers, par-*  
4            *ents, and citizens; and*

5            *(E) providing resources to help individual*  
6            *schools, including those serving students with*  
7            *high needs, develop and implement comprehen-*  
8            *sive improvement plans;*

9            *(7) stimulating the development and adoption of*  
10          *a voluntary national system of skill standards and*  
11          *certification to serve as a cornerstone of the national*  
12          *strategy to enhance workforce skills; and*

13          *(8) assisting every elementary and secondary*  
14          *school that receives funds under this Act to actively*  
15          *involve parents and families in supporting the aca-*  
16          *demic work of their children at home and in provid-*  
17          *ing parents with skills to advocate for their children*  
18          *at school.*

19            **PART A—NATIONAL EDUCATION GOALS**

20          **SEC. 111. PURPOSE.**

21            *The purpose of this title is to establish national edu-*  
22          *cation goals.*

23          **SEC. 112. NATIONAL EDUCATION GOALS.**

24            *The Congress declares that the National Education*  
25          *Goals are the following:*

1           (1) *SCHOOL READINESS.*—(A) *By the year 2000,*  
2           *all children in America will start school ready to*  
3           *learn.*

4           (B) *The objectives for this goal are that—*

5                 (i) *all children will have access to high-*  
6                 *quality and developmentally appropriate pre-*  
7                 *school programs that help prepare children for*  
8                 *school;*

9                 (ii) *every parent in America will be a*  
10                *child's first teacher and devote time each day to*  
11                *helping his or her preschool child learn, and par-*  
12                *ents will have access to the training and support*  
13                *they need; and*

14               (iii) *all children will receive the nutrition*  
15                *and health care needed to arrive at school with*  
16                *healthy minds and bodies, and to maintain the*  
17                *mental alertness necessary to be prepared to*  
18                *learn, and the number of low-birthweight babies*  
19                *will be significantly reduced through enhanced*  
20                *prenatal health systems.*

21           (2) *SCHOOL COMPLETION.*—(A) *By the year*  
22           *2000, the high school graduation rate will increase to*  
23           *at least 90 percent.*

24           (B) *The objectives for this goal are that—*



1           (i) the Nation must dramatically reduce its  
2 dropout rate, and 75 percent of those students  
3 who do drop out will successfully complete a high  
4 school degree or its equivalent; and

5           (ii) the gap in high school graduation rates  
6 between American students from minority back-  
7 grounds and their non-minority counterparts  
8 will be eliminated.

9           (3) *STUDENT ACHIEVEMENT AND CITIZENSHIP.*—

10          (A) By the year 2000, all students will leave grades  
11 4, 8, and 12 having demonstrated competency over  
12 challenging subject matter including English, mathe-  
13 matics, science, foreign languages, civics and govern-  
14 ment, arts, history, and geography, and every school  
15 in America will ensure that all students learn to use  
16 their minds well, so they may be prepared for respon-  
17 sible citizenship, further learning, and productive em-  
18 ployment in our modern economy.

19          (B) The objectives for this goal are that—

20               (i) the academic performance of all students  
21 at the elementary and secondary level will in-  
22 crease significantly in every quartile, and the  
23 distribution of minority students in each level  
24 will more closely reflect the student population  
25 as a whole;

1           (ii) the percentage of all students who dem-  
2           onstrate the ability to reason, solve problems,  
3           apply knowledge, and write and communicate ef-  
4           fectively will increase substantially;

5           (iii) all students will be involved in activi-  
6           ties that promote and demonstrate good citizen-  
7           ship, community service, and personal respon-  
8           sibility;

9           (iv) all students will have access to physical  
10          education and health education to ensure they  
11          are healthy and fit;

12          (v) the percentage of all students who are  
13          competent in more than one language will sub-  
14          stantially increase; and

15          (vi) all students will be knowledgeable about  
16          the diverse cultural heritage of this Nation and  
17          about the world community.

18          (4) *TEACHER EDUCATION AND PROFESSIONAL*  
19          *DEVELOPMENT.*—(A) *By the year 2000, the Nation's*  
20          *teaching force will have access to programs for the*  
21          *continued improvement of their professional skills and*  
22          *the opportunity to acquire the knowledge and skills*  
23          *needed to instruct and prepare all American students*  
24          *for the next century.*

25          (B) *The objectives of this goal are that—*

1           (i) every State will establish opportunity-to-  
2       learn standards and create an integrated strat-  
3       egy to attract, recruit, prepare, retrain, and sup-  
4       port the continued professional development of  
5       teachers, administrators, and other educators, so  
6       that there is a highly talented workforce of pro-  
7       fessional educators to teach challenging stand-  
8       ards;

9           (ii) subgrants for preservice teacher edu-  
10      cation and professional development activity will  
11      be made to local educational agencies, institu-  
12      tions of higher education, private nonprofit orga-  
13      nizations, or consortia of such organizations, to  
14      support continuing, sustained, professional devel-  
15      opment activities for all educators; and

16          (iii) partnerships shall be established, when-  
17      ever possible, between local educational agencies,  
18      institutions of higher education, local labor, busi-  
19      ness, and professional associations to provide  
20      and support programs for the professional devel-  
21      opment of educators, particularly in the area of  
22      emerging new technologies in education.

23          (5) MATHEMATICS AND SCIENCE.—(A) By the  
24      year 2000, United States students will be first in the  
25      world in mathematics and science achievement.

1           (B) *The objectives for this goal are that—*

2               (i) *math and science education, including*  
3               *the metric system of measurement, will be*  
4               *strengthened throughout the system, especially in*  
5               *the early grades;*

6               (ii) *the number of teachers with a sub-*  
7               *stantive background in mathematics and science,*  
8               *including the metric system of measurement, will*  
9               *increase by 50 percent; and*

10              (iii) *the number of United States under-*  
11              *graduate and graduate students, especially*  
12              *women and minorities, who complete degrees in*  
13              *mathematics, science, and engineering will in-*  
14              *crease significantly.*

15              (6) *ADULT LITERACY AND LIFELONG LEARN-*  
16              *ING.—(A) By the year 2000, every adult American*  
17              *will be literate and will possess the knowledge and*  
18              *skills necessary to compete in a global economy and*  
19              *exercise the rights and responsibilities of citizenship.*

20              (B) *The objectives for this goal are that—*

21               (i) *every major American business will be*  
22               *involved in strengthening the connection between*  
23               *education and work;*

24               (ii) *all workers will have the opportunity to*  
25               *acquire the knowledge and skills, from basic to*

1        *highly technical, needed to adapt to emerging*  
2        *new technologies, work methods, and markets*  
3        *through public and private educational, voca-*  
4        *tional, technical, workplace, or other programs;*

5                *(iii) the number of quality programs, in-*  
6        *cluding those at libraries, that are designed to*  
7        *serve more effectively the needs of the growing*  
8        *number of part-time and midcareer students will*  
9        *increase substantially;*

10               *(iv) the proportion of those qualified stu-*  
11        *dents, especially minorities, who enter college,*  
12        *who complete at least two years, and who com-*  
13        *plete their degree programs will increase sub-*  
14        *stantially;*

15               *(v) the proportion of college graduates who*  
16        *demonstrate an advanced ability to think criti-*  
17        *cally, communicate effectively, and solve prob-*  
18        *lems will increase substantially; and*

19               *(vi) schools, in implementing comprehensive*  
20        *parent involvement programs, will offer more*  
21        *adult literacy, parent training and life-long*  
22        *learning opportunities to improve the ties be-*  
23        *tween home and school, and enhance parents'*  
24        *work and home lives.*

1           (7) *SAFE, DISCIPLINED, AND DRUG-FREE*  
2           *SCHOOLS.—(A) By the year 2000, every school in*  
3           *America will be free of drugs and violence and will*  
4           *offer a disciplined environment conducive to learning.*

5           *(B) The objectives for this goal are that—*

6                     *(i) every school will implement a firm and*  
7                     *fair policy on use, possession, and distribution of*  
8                     *drugs and alcohol;*

9                     *(ii) parents, businesses, and community or-*  
10                    *ganizations will work together to ensure the*  
11                    *rights of students to study in a safe and secure*  
12                    *environment that is free of drugs and crime;*

13                    *(iii) every school district will develop a*  
14                    *comprehensive K–12 drug and alcohol prevention*  
15                    *education program. Drug and alcohol curricula*  
16                    *should be taught as an integral part of health*  
17                    *education. In addition, community-based teams*  
18                    *should be organized to provide all students and*  
19                    *teachers with needed support; and*

20                    *(iv) every school district will develop and*  
21                    *implement a policy to ensure that all schools are*  
22                    *free of weapons and violence.*

23           (8) *SCHOOL AND HOME PARTNERSHIP.—(A) By*  
24           *the year 2000, every school and home will engage in*  
25           *partnerships that will increase parental involvement*

1       *and participation in promoting the social, emotional,*  
2       *and academic growth of children.*

3           *(B) The objectives for this goal are that—*

4               *(i) every State will develop policies to assist*  
5       *local schools and local educational agencies to es-*  
6       *tablish programs for increasing partnerships*  
7       *that respond to the varying needs of parents and*  
8       *the home, including parents of children who are*  
9       *disadvantaged, bilingual, or disabled;*

10              *(ii) every school will actively engage par-*  
11       *ents and families in a partnership which sup-*  
12       *ports the academic work of children at home and*  
13       *shared educational decision making at school;*

14              *(iii) every home will be responsible for cre-*  
15       *ating an environment of respect for education*  
16       *and providing the physical and emotional sup-*  
17       *port needed for learning; and*

18              *(iv) parents and families will help to ensure*  
19       *that schools are adequately supported and will*  
20       *hold schools and teachers to high standards of ac-*  
21       *countability.*

1       **PART B—NATIONAL EDUCATION REFORM,**  
2       **LEADERSHIP, STANDARDS, AND ASSESSMENTS**  
3       **Subpart 1—National Education Goals Panel**

4       **SEC. 121. PURPOSE.**

5       *It is the purpose of this part to establish a bipartisan*  
6       *mechanism for—*

7               *(1) building a national consensus for education*  
8               *improvement;*

9               *(2) reporting on progress toward achieving the*  
10              *National Education Goals; and*

11              *(3) reviewing the voluntary national content and*  
12              *student performance standards and opportunity-to-*  
13              *learn standards certified by the National Education*  
14              *Standards and Improvement Council, as well as the*  
15              *criteria for their certification, and the criteria for the*  
16              *certification of State assessments by the National*  
17              *Education Standards and Improvement Council with*  
18              *the option of disapproving such standards and cri-*  
19              *teria not later than 60 days after receipt from such*  
20              *Council.*

21       **SEC. 122. NATIONAL EDUCATION GOALS PANEL.**

22              *(a) ESTABLISHMENT.—There is established in the exec-*  
23              *utive branch a National Education Goals Panel (referred*  
24              *to in this Act as the “Goals Panel”) to advise the President,*  
25              *the Secretary, and the Congress.*



1       (b) *COMPOSITION.*—*The Goals Panel shall be composed*  
2 *of eighteen members (referred to in this part as “members”),*  
3 *including—*

4           (1) *two members appointed by the President;*

5           (2) *eight members who are Governors, three of*  
6 *whom shall be from the same political party as the*  
7 *President and five of whom shall be of the opposite*  
8 *political party of the President, appointed by the*  
9 *Chairperson and Vice Chairperson of the National*  
10 *Governors’ Association, with each appointing rep-*  
11 *resentatives of his or her respective political party, in*  
12 *consultation with each other;*

13           (3) *four Members of Congress appointed as fol-*  
14 *lows—*

15           (A) *one member appointed by the majority*  
16 *leader of the Senate from among the Members of*  
17 *the Senate;*

18           (B) *one member appointed by the minority*  
19 *leader of the Senate from among the Members of*  
20 *the Senate;*

21           (C) *one member appointed by the majority*  
22 *leader of the House of Representatives from*  
23 *among the Members of the House of Representa-*  
24 *tives; and*

1           (D) one member appointed by the minority  
2 leader of the House of Representatives from  
3 among the Members of the House of Representa-  
4 tives; and

5           (4) four members of State legislatures appointed  
6 by the President of the National Conference of State  
7 Legislatures, of whom not more than two may be of  
8 the same political party as the President of the  
9 United States.

10       (c) SPECIAL APPOINTMENT RULES.—(1) The members  
11 appointed pursuant to subsection (b)(2) shall be appointed  
12 as follows:

13           (A) If the Chairperson of the National Gov-  
14 ernors' Association is from the same political party  
15 as the President, the Chairperson shall appoint three  
16 individuals and the Vice Chairperson shall appoint  
17 five individuals.

18           (B) If the Chairperson of the National Gov-  
19 ernors' Association is from the opposite political  
20 party as the President, the Chairperson shall appoint  
21 five individuals and the Vice Chairperson shall ap-  
22 point three individuals.

23       (2) If the National Governors' Association has ap-  
24 pointed a panel that meets the requirements of subsections  
25 (b) and (c), except for the requirements of subsection (b)(4),

1 *prior to the date of enactment of this title, then the members*  
2 *serving on such panel shall be deemed to be in compliance*  
3 *with subsections (b) and (c) and shall not be required to*  
4 *be reappointed pursuant to such subsections.*

5 *(3) To the extent feasible, the membership of the Goals*  
6 *Panel shall be geographically representative and reflect the*  
7 *racial, ethnic, and gender diversity of the United States.*

8 *(d) TERMS.—The terms of service of members shall be*  
9 *as follows:*

10 *(1) Members appointed under subsection (b)(1)*  
11 *shall serve at the pleasure of the President.*

12 *(2) Members appointed under subsection (b)(2)*  
13 *shall serve a two-year term, except that the initial ap-*  
14 *pointments under such paragraph shall be made to*  
15 *ensure staggered terms with one-half of such members'*  
16 *terms concluding every two years.*

17 *(3) Members appointed under subsection (b) (3)*  
18 *and (4) shall serve a term of two years.*

19 *(e) DATE OF APPOINTMENT.—The initial members*  
20 *shall be appointed not later than sixty days after the date*  
21 *of enactment of this Act.*

22 *(f) INITIATION.—The Goals Panel may begin to carry*  
23 *out its duties under this part when ten members of the*  
24 *Goals Panel have been appointed.*

1       (g) *VACANCIES.*—A vacancy on the Goals Panel shall  
 2   not affect the powers of the Goals Panel, but shall be filled  
 3   in the same manner as the original appointment.

4       (h) *TRAVEL.*—Each member may be allowed travel ex-  
 5   penses, including per diem in lieu of subsistence, as author-  
 6   ized by section 5703 of title 5, United States Code, for each  
 7   day the member is engaged in the performance of duties  
 8   away from the home or regular place of business of the  
 9   member.

10      (i) *CHAIRPERSON.*—From among the members, the  
 11   President shall appoint the Chairperson who shall serve a  
 12   one-year term and shall alternate between political parties.

13      (j) *CONFLICT OF INTEREST.*—A member of the Goals  
 14   Panel who is an elected official of a State which has devel-  
 15   oped content, student performance, or opportunity-to-learn  
 16   standards may not participate in Goals Panel consider-  
 17   ation of such standards.

18      (k) *EX OFFICIO MEMBER.*—If the President has not  
 19   appointed the Secretary of Education as 1 of the 2 members  
 20   he appoints pursuant to subsection (b)(1), then the Sec-  
 21   retary shall serve as a nonvoting ex officio member of the  
 22   Goals Panel.

23   **SEC. 123. DUTIES.**

24      (a) *DUTIES.*—The Goals Panel shall—

1           (1) report to the President, the Secretary, and  
2           the Congress regarding the progress the Nation and  
3           the States are making toward achieving the National  
4           Education Goals established under title I of this Act,  
5           including issuing an annual report;

6           (2) report on State opportunity-to-learn stand-  
7           ards and the progress of States in meeting such  
8           standards;

9           (3) review, after taking into consideration the  
10          public comments received pursuant to section 136,  
11          with the option of disapproving by a two-thirds ma-  
12          jority vote of the full membership not later than 60  
13          days after receipt of the—

14                (A) criteria developed by the National Edu-  
15                cation Standards and Improvement Council for  
16                the certification of content and student perform-  
17                ance standards, assessments, and opportunity-to-  
18                learn standards; and

19                (B) voluntary national content and student  
20                performance standards and opportunity-to-learn  
21                standards certified by the National Education  
22                Standards and Improvement Council;

23           (4) report on promising or effective actions being  
24           taken at the national, State, and local levels, in the

1       *public and private sectors, to achieve the National*  
2       *Education Goals; and*

3               *(5) help build a nationwide, bipartisan consen-*  
4       *sus for the reforms necessary to achieve the National*  
5       *Education Goals.*

6       *(b) REPORT.—(1) The Goals Panel shall annually pre-*  
7       *pare and submit to the President, the Secretary, the appro-*  
8       *priate committees of Congress, and the Governor of each*  
9       *State a report that shall—*

10           *(A) report on the progress of the United States*  
11       *toward achieving the National Education Goals;*

12           *(B) identify actions that should be taken by Fed-*  
13       *eral, State, and local governments to enhance progress*  
14       *toward achieving the National Education Goals and*  
15       *State opportunity-to-learn standards; and*

16           *(C) report on State opportunity-to-learn stand-*  
17       *ards and the progress of States in meeting such*  
18       *standards.*

19       *(2) Reports shall be presented in a form, and include*  
20       *data, that is understandable to parents and the general*  
21       *public.*

22       **SEC. 124. POWERS OF THE GOALS PANEL.**

23       *(a) HEARINGS.—(1) The Goals Panel shall, for the*  
24       *purpose of carrying out this part, conduct such hearings,*  
25       *sit and act at such times and places, take such testimony,*

1 *and receive such evidence, as the Goals Panel considers ap-*  
2 *propriate.*

3       (2) *In carrying out this part, the Goals Panel shall*  
4 *conduct hearings to receive reports, views, and analyses of*  
5 *a broad spectrum of experts and the public on the establish-*  
6 *ment of voluntary national content and student perform-*  
7 *ance standards, assessments, and opportunity-to-learn*  
8 *standards.*

9       (b) *INFORMATION.*—*The Goals Panel may secure di-*  
10 *rectly from any department or agency of the United States*  
11 *information necessary to enable the Goals Panel to carry*  
12 *out this part. Upon request of the Chairperson of the Goals*  
13 *Panel, the head of a department or agency shall furnish*  
14 *such information to the Goals Panel to the extent permitted*  
15 *by law.*

16       (c) *POSTAL SERVICES.*—*The Goals Panel may use the*  
17 *United States mail in the same manner and under the same*  
18 *conditions as other departments and agencies of the United*  
19 *States.*

20       (d) *USE OF FACILITIES.*—*The Goals Panel may, with*  
21 *consent, use the research, equipment, services, and facilities*  
22 *of any agency or instrumentality of the United States, or*  
23 *of any State or political subdivision thereof.*

24       (e) *ADMINISTRATIVE ARRANGEMENTS AND SUP-*  
25 *PORT.*—(1) *The Secretary shall provide to the Goals Panel,*

1 *on a reimbursable basis, such administrative support serv-*  
 2 *ices as the Goals Panel may request.*

3 *(2) The Secretary shall, to the extent appropriate, and*  
 4 *on a reimbursable basis, make contracts and other arrange-*  
 5 *ments that are requested by the Goals Panel to help it com-*  
 6 *pile and analyze data or carry out other functions necessary*  
 7 *to the performance of such responsibilities.*

8 **SEC. 125. ADMINISTRATIVE PROVISIONS.**

9 *(a) MEETINGS.—The Goals Panel shall meet on a reg-*  
 10 *ular basis, as necessary, at the call of the Chairperson of*  
 11 *the Goals Panel or a majority of its members.*

12 *(b) QUORUM.—A majority of the members shall con-*  
 13 *stitute a quorum for the transaction of business.*

14 *(c) VOTING.—No individual may vote, or exercise any*  
 15 *of the powers of a member, by proxy.*

16 *(d) PUBLIC ACCESS.—The Goals Panel shall ensure*  
 17 *public access to its proceedings (other than proceedings, or*  
 18 *portions of proceedings, relating to internal personnel and*  
 19 *management matters) and make available to the public, at*  
 20 *reasonable cost, transcripts of such proceedings.*

21 **SEC. 126. DIRECTOR AND STAFF; EXPERTS AND CONSULT-**  
 22 **ANTS.**

23 *(a) DIRECTOR.—The Chairperson of the Goals Panel*  
 24 *shall, without regard to the provisions of title 5, United*  
 25 *States Code, relating to the appointment and compensation*



1 *of officers or employees of the United States, appoint a Di-*  
2 *rector to be paid at a rate not to exceed the rate of basic*  
3 *pay payable for level V of the Executive Schedule.*

4 *(b) APPOINTMENT AND PAY OF EMPLOYEES.—(1)(A)*  
5 *The Director may appoint not more than four additional*  
6 *employees to serve as staff to the Goals Panel without regard*  
7 *to the provisions of title 5, United States Code, governing*  
8 *appointments in the competitive service.*

9 *(B) The employees appointed under paragraph (1)(A)*  
10 *may be paid without regard to the provisions of chapter*  
11 *51 and subchapter III of chapter 53 of that title relating*  
12 *to classification and General Schedule pay rates, but shall*  
13 *not be paid a rate that exceeds the maximum rate of basic*  
14 *pay payable for GS–15 of the General Schedule.*

15 *(2) The Director may appoint additional employees to*  
16 *serve as staff to the Goals Panel consistent with title 5,*  
17 *United States Code.*

18 *(c) EXPERTS AND CONSULTANTS.—The Goals Panel*  
19 *may procure temporary and intermittent services of experts*  
20 *and consultants under section 3109(b) of title 5, United*  
21 *States Code.*

22 *(d) STAFF OF FEDERAL AGENCIES.—Upon the request*  
23 *of the Goals Panel, the head of any department or agency*  
24 *of the United States may detail any of the personnel of such*

1 *agency to the Goals Panel to assist the Goals Panel in its*  
2 *duties under this part.*

3 ***SEC. 127. EARLY CHILDHOOD ASSESSMENT.***

4 *(a) GENERAL.—(1) The Goals Panel shall support the*  
5 *work of its Resource and Technical Planning Groups on*  
6 *School Readiness (referred to in this section as the Groups)*  
7 *to improve the methods of assessing the readiness of children*  
8 *for school that would lead to alternatives to currently used*  
9 *norm-referenced early childhood assessments.*

10 *(2) The Groups shall—*

11 *(A) create clear guidelines regarding the nature,*  
12 *functions, and uses of early childhood assessments, in-*  
13 *cluding a model of school readiness that addresses a*  
14 *broad range of early childhood developmental needs;*

15 *(B) monitor and evaluate early childhood assess-*  
16 *ments, including the ability of existing assessments to*  
17 *provide valid information on the readiness of children*  
18 *for school; and*

19 *(C) monitor and report on the long-term collec-*  
20 *tion of data on the status of young children to im-*  
21 *prove policy and practice, including the need for new*  
22 *sources of data necessary to assess the broad range of*  
23 *early childhood developmental needs.*

24 *(b) ADVICE.—The Groups shall advise and assist the*  
25 *Congress, the Secretary, the Goals Panel, and others regard-*

1 *ing how to improve the assessment of young children and*  
 2 *how such assessments can improve services to children.*

3 *(c) REPORT.—The Goals Panel shall provide reports*  
 4 *on the work of the Groups to the Congress, the Secretary,*  
 5 *and the public.*

6 ***Subpart 2—National Education Standards and***  
 7 ***Improvement Council***

8 ***SEC. 131. PURPOSE.***

9 *The purpose of this part is to establish a mechanism*  
 10 *to—*

11 *(1) certify and regularly review voluntary na-*  
 12 *tional content and student performance standards*  
 13 *that define what all students should know and be able*  
 14 *to do;*

15 *(2) certify content and student performance*  
 16 *standards submitted by States on a voluntary basis,*  
 17 *if such standards are of equal or higher quality to the*  
 18 *voluntary national content and student performance*  
 19 *standards certified by the National Education Stand-*  
 20 *ards and Improvement Council;*

21 *(3) certify and regularly review voluntary na-*  
 22 *tional opportunity-to-learn standards that describe*  
 23 *the conditions of teaching and learning necessary for*  
 24 *all students to have a fair opportunity to achieve the*  
 25 *knowledge and skills described in the voluntary na-*

1      *tional content and student performance standards*  
 2      *certified by the National Education Standards and*  
 3      *Improvement Council;*

4           (4) *certify opportunity-to-learn standards sub-*  
 5      *mitted by States on a voluntary basis, if such stand-*  
 6      *ards are of equal or higher quality as compared with*  
 7      *the voluntary national opportunity-to-learn stand-*  
 8      *ards; and*

9           (5) *certify assessment systems submitted by*  
 10     *States on a voluntary basis, if such systems are*  
 11     *aligned with State content standards certified by the*  
 12     *National Education Standards and Improvement*  
 13     *Council and if such systems are valid, reliable, and*  
 14     *consistent with relevant, nationally recognized, profes-*  
 15     *sional and technical standards for assessment when*  
 16     *used for their intended purposes.*

17   **SEC. 132. NATIONAL EDUCATION STANDARDS AND IM-**  
 18       **PROVEMENT COUNCIL.**

19       (a) *ESTABLISHMENT.*—*There is established in the exec-*  
 20     *utive branch a National Education Standards and Im-*  
 21     *provement Council (referred to in this title as the*  
 22     *“Council”).*

23       (b) *COMPOSITION.*—*The Council shall be composed of*  
 24     *twenty members (referred to in this part as “members”)*  
 25     *who shall be appointed as follows:*

1           (1) 8 members (2 from each of subparagraphs  
2           (A) through (D) of subsection (c)(1)) shall be ap-  
3           pointed by the President;

4           (2) 4 members (1 from each of subparagraphs  
5           (A) through (D) of subsection (c)(1)) shall be ap-  
6           pointed by the Speaker of the House of Representa-  
7           tives, in consultation with the majority and minority  
8           leaders of the House;

9           (3) 4 members (1 from each of subparagraphs  
10          (A) through (D) of subsection (c)(1)) shall be ap-  
11          pointed by the majority leader of the Senate, in con-  
12          sultation with the minority leader of the Senate; and

13          (4) 4 members (1 from each of subparagraphs  
14          (A) through (D) of subsection (c)(1)) shall be ap-  
15          pointed by the National Education Goals Panel.

16          (c) *QUALIFICATIONS.*—(1) The members of the Council  
17          shall include—

18                (A) 5 professional educators, including elemen-  
19                tary and secondary classroom teachers, preschool edu-  
20                cators and other school-based professionals, local dis-  
21                trict or State administrators, related service person-  
22                nel, and other educators;

23                (B) 5 representatives of business and industry,  
24                organized labor, and postsecondary educational insti-  
25                tutions, including at least 1 representative of post-

1        *secondary educational institutions, at least 1 rep-*  
2        *resentative of organized labor, and at least 1 rep-*  
3        *resentative of business who is also a member of the*  
4        *National Skill Standards Board;*

5            *(C) 5 representatives of the public, including*  
6        *representatives of advocacy, civil rights and disability*  
7        *groups, parents, civic leaders, and local and State*  
8        *education policymakers (including State, local, or*  
9        *tribal school boards); and*

10           *(D) 5 education experts, including experts in*  
11        *measurement and assessment, curriculum, school fi-*  
12        *nance and equity, and school reform.*

13        *(2) To the extent feasible, the membership of the Coun-*  
14        *cil shall be geographically representative of the United*  
15        *States and reflect the diversity of the United States with*  
16        *regard to race, ethnicity, gender, and disability characteris-*  
17        *tics.*

18        *(3) One-third of the Council shall consist of individ-*  
19        *uals with expertise in the educational needs of children who*  
20        *are from low-income families, minority backgrounds, have*  
21        *limited-English proficiency, or have disabilities.*

22        *(d) TERMS.—(1) Members shall be appointed for 3-*  
23        *year terms, with no member serving more than 2 consecu-*  
24        *tive terms.*

1       (2) *The Council shall establish by lot initial terms for*  
2 *individuals of one, two, or three years in order to establish*  
3 *a rotation in which one-third of the members are selected*  
4 *each year.*

5       (e) *DATE OF APPOINTMENT.—The initial members*  
6 *shall be appointed not later than 120 days after the date*  
7 *of enactment of this Act.*

8       (f) *INITIATION.—The Council shall begin to carry out*  
9 *the duties of the Council under this part when all 20 mem-*  
10 *bers have been appointed.*

11       (g) *RETENTION.—In order to retain an appointment*  
12 *to the Council, a member must attend at least two-thirds*  
13 *of the scheduled meetings of the Council in any given year.*

14       (h) *VACANCY.—A vacancy on the Council shall not af-*  
15 *fect the powers of the Council, but shall be filled in the same*  
16 *manner as the original appointment.*

17       (i) *COMPENSATION.—Members of the Council who are*  
18 *not regular full-time employees of the United States may,*  
19 *while attending meetings or hearings of the Council, be pro-*  
20 *vided compensation at a rate fixed by the Secretary, but*  
21 *not exceeding the maximum rate of basic pay payable for*  
22 *GS-15 of the General Schedule.*

23       (j) *CONFLICT OF INTEREST.—(1) A member of the*  
24 *Council may not concurrently serve as a member of the*  
25 *Goals Panel.*

1       (2) *Section 208 of title 18 of the United States Code*  
 2 *shall apply to members of the Council except that, for the*  
 3 *purposes of making written determinations under sub-*  
 4 *section (b)(1), the Government official responsible for the*  
 5 *appointment of any member of the Council is deemed to*  
 6 *be the Director of the Office of Government Ethics.*

7       (3) *A member of the Council who resides in a State*  
 8 *which has developed standards and assessments may not*  
 9 *participate in Council consideration of such standards and*  
 10 *assessments.*

11       (k) *TRAVEL.—Each member of the Council may be al-*  
 12 *lowed travel expenses, including per diem in lieu of subsist-*  
 13 *ence, as authorized by section 5703 of title 5, United States*  
 14 *Code, for each day the member is engaged in the perform-*  
 15 *ance of duties away from the home or regular place of busi-*  
 16 *ness of the member.*

17       (l) *OFFICERS.—The members of the Council shall select*  
 18 *officers from among its members. The officers of the Council*  
 19 *shall serve for one-year terms.*

20       **SEC. 133. DUTIES.**

21       (a) *VOLUNTARY NATIONAL CONTENT STANDARDS.—*

22       (1) *The Council shall—*

23               (A) *identify areas in which voluntary national*  
 24       *content standards need to be developed;*



1           (B) certify voluntary national content and stu-  
2           dent performance standards using the criteria devel-  
3           oped under paragraph (2)(A)(i), that define what all  
4           students should know and be able to do;

5           (C) forward such voluntary national content and  
6           student performance standards to the Goals Panel for  
7           review, except that the Goals Panel shall have the op-  
8           tion of disapproving such standards by a two-thirds  
9           majority vote of the full membership not later than 60  
10          days after receipt of such standards; and

11          (D) develop a process for regularly reviewing  
12          any national voluntary content, student performance,  
13          and opportunity-to-learn standards that have been  
14          certified.

15          (2)(A) The Council shall—

16               (i) identify and develop criteria to be used for  
17               certifying the voluntary national content and student  
18               performance standards; and

19               (ii) before applying such criteria, forward them  
20               to the Goals Panel for review, except that the Goals  
21               Panel shall have the option of disapproving such cri-  
22               teria by a two-thirds majority vote of the full mem-  
23               bership not later than 60 days after receipt of such  
24               criteria.

1       (B) *The criteria developed by the Council shall ad-*  
2 *dress—*

3           (i) *the extent to which the proposed standards*  
4 *are internationally competitive and comparable to the*  
5 *best in the world;*

6           (ii) *the extent to which the proposed content and*  
7 *student performance standards reflect the best avail-*  
8 *able knowledge about how all students learn and*  
9 *about how the content area can be most effectively*  
10 *taught;*

11          (iii) *the extent to which the proposed content and*  
12 *student performance standards have been developed*  
13 *through an open and public process that provides for*  
14 *input and involvement of all relevant parties, includ-*  
15 *ing teachers, related services personnel, and other pro-*  
16 *fessional educators, employers and postsecondary edu-*  
17 *cation institutions, curriculum and subject matter*  
18 *specialists, parents, advocacy groups, and the public;*  
19 *and*

20          (iv) *other factors that the Council deems appro-*  
21 *priate.*

22       (C) *In developing the criteria, the Council shall work*  
23 *with entities that are developing, or have already developed,*  
24 *content and student performance standards, and any other*

1 *entities that the Council deems appropriate, to identify ap-*  
 2 *propriate certification criteria.*

3       (b) *VOLUNTARY STATE CONTENT STANDARDS.—The*  
 4 *Council may certify content and student performance*  
 5 *standards presented on a voluntary basis by States, using*  
 6 *the criteria developed under subsection (a)(2)(A)(i), if such*  
 7 *standards are of equal or higher quality to the voluntary*  
 8 *national content and student performance standards cer-*  
 9 *tified by the Council.*

10       (c) *VOLUNTARY NATIONAL OPPORTUNITY-TO-LEARN*  
 11 *STANDARDS.—(1) The Council shall certify exemplary, vol-*  
 12 *untary national opportunity-to-learn standards that will*  
 13 *establish a basis for providing all students a fair oppor-*  
 14 *tunity to achieve the knowledge and skills set out in the*  
 15 *voluntary national content standards certified by the*  
 16 *Council.*

17       (2) *The voluntary national opportunity-to-learn*  
 18 *standards certified by the Council shall address—*

19               (A) *the quality and availability of curricula, in-*  
 20 *structional materials, and technologies, including dis-*  
 21 *tance learning, to all students;*

22               (B) *the capability of teachers to provide high-*  
 23 *quality instruction to meet diverse learning needs in*  
 24 *each content area to all students;*

1           (C) the extent to which teachers, principals, and  
2 administrators have ready and continuing access to  
3 professional development, including the best knowl-  
4 edge about teaching, learning, and school improve-  
5 ment;

6           (D) the extent to which curriculum, instructional  
7 practices, and assessments are aligned to content  
8 standards;

9           (E) the extent to which school facilities provide  
10 a safe and secure environment for learning and in-  
11 struction and have the requisite libraries, labora-  
12 tories, and other resources necessary to provide an op-  
13 portunity to learn;

14           (F) the extent to which schools utilize policies,  
15 curricula, and instructional practices which ensure  
16 nondiscrimination on the basis of gender; and

17           (G) other factors that the Council deems appro-  
18 priate to ensure the students receive a fair oppor-  
19 tunity to achieve the knowledge and skills described in  
20 the voluntary content and student performance stand-  
21 ards certified by the Council.

22       (3) In carrying out this subsection, the Council shall—

23           (A) identify what countries with rigorous content  
24 standards do to—

1                   (i) provide their children with opportunities  
2           to learn;

3                   (ii) prepare their teachers; and

4                   (iii) provide continuing professional devel-  
5           opment opportunities for their teachers; and

6           (B) develop criteria to be used for certifying the  
7           voluntary national and State opportunity-to-learn  
8           standards and, before applying such criteria, forward  
9           them to the Goals Panel for review, except that the  
10          Goals Panel shall have the option of disapproving  
11          such standards by a two-thirds majority vote of the  
12          full membership not later than 60 days after receipt  
13          of such criteria.

14          (4) The Council shall assist in the development of the  
15          voluntary national opportunity-to-learn standards devel-  
16          oped by the consortium under section 139 by—

17                  (A) making recommendations to the Secretary  
18                  regarding priorities and selection criteria for the  
19                  award made under section 139 and

20                  (B) coordinating with the consortium receiving  
21                  an award under section 139 to ensure that the oppor-  
22                  tunity-to-learn standards the consortium develops are  
23                  appropriate for the needs of all students, are of high  
24                  quality, and are consistent with the criteria developed  
25                  by the Council for the certification of such standards.

1       (5) *The Council shall forward the voluntary national*  
 2 *opportunity-to-learn standards it certifies to the Goals*  
 3 *Panel for review, except that the Goals Panel shall have*  
 4 *the option of disapproving such standards by a two-thirds*  
 5 *majority vote of the full membership not later than 60 days*  
 6 *after receipt of such standards.*

7       (d) *VOLUNTARY STATE OPPORTUNITY-TO-LEARN*  
 8 *STANDARDS.—The Council may certify opportunity-to-*  
 9 *learn standards submitted voluntarily by a State, using the*  
 10 *criteria developed under subsection (c)(3)(B), if such stand-*  
 11 *ards are of equal or higher quality as compared to the vol-*  
 12 *untary national opportunity-to-learn standards.*

13       (e) *GENERAL PROVISION REGARDING VOLUNTARY NA-*  
 14 *TIONAL STANDARDS.—The Council may certify voluntary*  
 15 *national content, student performance, and opportunity-to-*  
 16 *learn standards if such standards are sufficiently general*  
 17 *to be used by any State without restricting State and local*  
 18 *control of curriculum and prerogatives regarding instruc-*  
 19 *tional methods to be employed.*

20       (f) *ASSESSMENTS.—(1)(A) The Council may certify an*  
 21 *assessment system that is submitted voluntarily by a State,*  
 22 *using the criteria developed under paragraph (2)(A), if such*  
 23 *system is aligned with the State's content standards cer-*  
 24 *tified by the Council.*

1       (B) Assessment systems shall be certified by the Coun-  
2   cil for the purposes of—

3           (i) informing students, parents, teachers, and re-  
4       lated services personnel about the progress of all stu-  
5       dents toward the standards;

6           (ii) improving classroom instruction and im-  
7       proving the learning outcomes for all students;

8           (iii) exemplifying for students, parents, and  
9       teachers the kinds and levels of achievement that  
10      should be expected of all students, including the iden-  
11      tification of student performance standards;

12          (iv) measuring and motivating individual stu-  
13      dents, schools, districts, States, and the Nation to im-  
14      prove educational performance; and

15          (v) assisting education policymakers in making  
16      decisions about education programs.

17      (C) The Council shall certify an assessment system  
18   only if—

19          (i) the State has established or adopted oppor-  
20      tunity-to-learn standards;

21          (ii) such system will not be used to make deci-  
22      sions regarding graduation, grade promotion, or re-  
23      tention of students for a period of five years from the  
24      date of enactment of this Act; and

25          (iii) the State has submitted—

1           (I) a description of the purposes for which  
2           the assessment system has been designed;

3           (II) the methodologies and process used to  
4           develop, select, validate, and use such assessment  
5           systems;

6           (III) a copy of the test instrument and, as  
7           appropriate, other measures that will make up  
8           the system; and

9           (IV) evidence that the test or tests which are  
10          part of the assessment system are valid, reliable  
11          measures of their intended purposes, are aligned  
12          with the State content standards, are capable of  
13          assessing the progress of all students toward  
14          learning the material in the State content stand-  
15          ards, and are consistent with relevant nationally  
16          recognized professional and technical standards.

17       (D) The Council shall, at the request of a State prior  
18       to developing an assessment system for a proposed use, re-  
19       view and provide guidance to such State on a proposed  
20       package of measures, including tests that would be included  
21       in such a system.

22       (2)(A) The Council shall develop and, no sooner than  
23       three years or later than four years after the enactment of  
24       this Act, begin utilizing criteria for the certification of as-  
25       sessment systems for the purposes indicated in paragraph



1 (1)(B). Before using such criteria, the Council shall forward  
2 the criteria to the Goals Panel for review, except that the  
3 Goals Panel shall have the option of disapproving such cri-  
4 teria by a two-thirds majority vote of the full membership  
5 not later than 60 days after receipt of such criteria.

6 (B) The certification criteria developed by the Council  
7 shall address the extent to which the assessment system—

8 (i) is aligned with State content standards cer-  
9 tified by the Council; and

10 (ii) is to be used for a purpose for which it is  
11 valid, reliable, free of discrimination, and is consist-  
12 ent with relevant, nationally recognized professional  
13 and technical standards for assessment.

14 (C) In determining appropriate certification criteria,  
15 the Council shall—

16 (i) consider standards and criteria being devel-  
17 oped by other national organizations, research on as-  
18 sessment, and emerging new State and local assess-  
19 ments;

20 (ii) recommend needed research;

21 (iii) encourage the development and field testing  
22 of assessment systems; and

23 (iv) provide a public forum for discussing, debat-  
24 ing, and building consensus for the criteria to be used  
25 for the certification of assessment systems.

1       (D) Prior to determining the certification criteria, the  
2 Council shall seek public comment regarding the proposed  
3 criteria.

4       (E) The Council shall certify an assessment system  
5 only if such system includes all students.

6       (g) *PERFORMANCE OF DUTIES.*—In carrying out its  
7 responsibilities under this title, the Council shall—

8           (1) provide for a process of broad public input  
9 as part of the process of developing criteria for stand-  
10 ards and assessments;

11          (2) work with Federal and non-Federal agencies  
12 and organizations which are conducting research,  
13 studies, or demonstration projects to determine inter-  
14 nationally competitive standards and assessments,  
15 and may establish subject matter and other panels to  
16 advise it on particular content, student performance,  
17 and opportunity-to-learn standards and on assess-  
18 ments;

19          (3) establish cooperative arrangements with the  
20 National Skill Standards Board to promote the co-  
21 ordination of the development of content and student  
22 performance standards under this title with the devel-  
23 opment of skill standards under title IV of this Act;

24          (4) recommend studies to the Secretary that are  
25 necessary to carry out the Council's responsibilities;

1           (5) *inform the public about what constitutes high*  
 2           *quality, internationally competitive, content, student*  
 3           *performance, and opportunity-to-learn standards, and*  
 4           *assessment systems;*

5           (6) *on a regular basis, review and update cri-*  
 6           *teria for certifying content, student performance, and*  
 7           *opportunity-to-learn standards, and assessment sys-*  
 8           *tems; and*

9           (7) *periodically recertify, as appropriate, the vol-*  
 10          *untary national content and student performance*  
 11          *standards, and the voluntary national opportunity-*  
 12          *to-learn standards and the assessments that it cer-*  
 13          *tifies under this section.*

14          (h) *UNCONDITIONED STATE PARTICIPATION.—No*  
 15          *State shall be required to obtain certification of standards*  
 16          *or assessments developed under subsection (b), (d), or (f)*  
 17          *of this section or to participate in programs under title III*  
 18          *of this Act, as a condition of participating in any Federal*  
 19          *education program under this or any other Act.*

20          **SEC. 134. ANNUAL REPORTS.**

21          *Not later than one year after the date the Council con-*  
 22          *cludes its first meeting, and in each succeeding year, the*  
 23          *Council shall prepare and submit a report to the President,*  
 24          *the Secretary, the appropriate committees of Congress, the*

1 *Governor of each State, and the Goals Panel regarding its*  
2 *work.*

3 ***SEC. 135. POWERS OF THE COUNCIL.***

4 *(a) HEARINGS.—(1) The Council shall, for the purpose*  
5 *of carrying out its responsibilities, conduct such hearings,*  
6 *sit and act at such times and places, take such testimony,*  
7 *and receive such evidence, as the Council considers appro-*  
8 *priate.*

9 *(2) In carrying out this part, the Council shall conduct*  
10 *public hearings in different geographic areas of the United*  
11 *States, both urban and rural, to receive the reports, views,*  
12 *and analyses of a broad spectrum of experts and the public*  
13 *on the establishment of voluntary national content, student*  
14 *performance, and opportunity-to-learn standards, and as-*  
15 *essment systems.*

16 *(b) INFORMATION.—The Council may secure directly*  
17 *from any department or agency of the United States infor-*  
18 *mation necessary to enable the Council to carry out this*  
19 *part. Upon request of the Chairperson of the Council, the*  
20 *head of a department or agency shall furnish such informa-*  
21 *tion to the Council to the extent permitted by law.*

22 *(c) POSTAL SERVICES.—The Council may use the*  
23 *United States mail in the same manner and under the same*  
24 *conditions as other departments and agencies of the United*  
25 *States.*

1       (d) *USE OF FACILITIES.*—*The Council may, with their*  
 2 *consent, use the research, equipment, services, and facilities*  
 3 *of any agency or instrumentality of the United States, or*  
 4 *of any State or political subdivision thereof.*

5       (e) *ADMINISTRATIVE ARRANGEMENTS AND SUP-*  
 6 *PORT.*—(1) *The Secretary shall provide to the Council, on*  
 7 *a reimbursable basis, such administrative support services*  
 8 *as the Council may request.*

9       (2) *The Secretary shall, to the extent appropriate, and*  
 10 *on a reimbursable basis, make contracts and other arrange-*  
 11 *ments that are requested by the Council to help it compile*  
 12 *and analyze data or carry out other functions necessary to*  
 13 *the performance of its responsibilities.*

14 **SEC. 136. PUBLICATION FOR PUBLIC COMMENT.**

15       (a) *TRANSMITTAL.*—*For the purpose of obtaining pub-*  
 16 *lic comment through publication in the Federal Register,*  
 17 *the Council shall transmit to the Secretary—*

18               (1) *proposed criteria for certifying national and*  
 19 *State content and performance standards;*

20               (2) *proposed criteria for certifying national and*  
 21 *State opportunity-to-learn standards;*

22               (3) *proposed criteria for certifying State assess-*  
 23 *ment systems; and*

24               (4) *proposed national content, performance, and*  
 25 *opportunity-to-learn standards.*

(b) *PUBLICATION.*—The Secretary shall publish such proposed procedures, standards, and criteria in the Federal Register.

#### 4 ***SEC. 137. ADMINISTRATIVE PROVISIONS.***

5 (a) *MEETINGS.*—*The Council shall meet on a regular*  
6 *basis, as necessary, at the call of the Chairperson of the*  
7 *Council, or a majority of its members.*

8       (b) *QUORUM*.—A majority of the members shall con-  
9       stitute a quorum for the transaction of business.

10       (c) *VOTING.*—The Council shall take all action of the  
11 Council by a majority vote of the total membership of the  
12 Council, ensuring the right of the minority to issue written  
13 views. No individual may vote or exercise any of the powers  
14 of a member by proxy.

(d) *PUBLIC ACCESS.*—The Council shall ensure public access to its proceedings (other than proceedings, or portions of proceedings, relating to internal personnel and management matters) and make available to the public, at reasonable cost, transcripts of such proceedings.

20 **SEC. 138. DIRECTOR AND STAFF; EXPERTS AND CONSULT-**  
21 **ANTS.**

(a) *DIRECTOR*.—The Chairperson of the Council shall, without regard to the provisions of title 5, United States Code, relating to the appointment and compensation of officers or employees of the United States, appoint a Director

1 *to be paid at a rate not to exceed the rate of basic pay*  
2 *payable for level V of the Executive Schedule.*

3 *(b) APPOINTMENT AND PAY OF EMPLOYEES.—(1)(A)*

4 *The Director may appoint not more than four additional*  
5 *employees to serve as staff to the Council without regard*  
6 *to the provisions of title 5, United States Code, governing*  
7 *appointments in the competitive service.*

8 *(B) The employees appointed under subparagraph (A)*

9 *may be paid without regard to the provisions of chapter*  
10 *51 and subchapter III of chapter 53 of that title relating*  
11 *to classification and General Schedule pay rates, but shall*  
12 *not be paid a rate that exceeds the maximum rate of basic*  
13 *pay payable for GS–15 of the General Schedule.*

14 *(2) The Director may appoint additional employees to*  
15 *serve as staff of the Council consistent with title 5, United*  
16 *States Code.*

17 *(c) EXPERTS AND CONSULTANTS.—The Council may*  
18 *procure temporary and intermittent services under section*  
19 *3019(b) of title 5, United States Code.*

20 *(d) STAFF OF FEDERAL AGENCIES.—Upon the request*  
21 *of the Council, the head of any department or agency of*  
22 *the United States may detail any of the personnel of such*  
23 *department or agency to the Council to assist the Council*  
24 *in its duties under this part.*

1 **SEC. 139. OPPORTUNITY-TO-LEARN DEVELOPMENT GRANT.**

2 (a) OPPORTUNITY-TO-LEARN DEVELOPMENT  
3 GRANT.—(1) *The Secretary is authorized to make a grant,*  
4 *on a competitive basis, to a consortium of individuals and*  
5 *organizations to develop voluntary national opportunity-to-*  
6 *learn standards consistent with the provisions of section*  
7 *123(c).*

8 (2) *To the extent possible, such consortium shall in-*  
9 *clude the participation of—*

10 (A) *State-level policymakers, such as Governors,*  
11 *State legislators, chief State school officers, and State*  
12 *school board members;*

13 (B) *local policymakers and administrators, such*  
14 *as local school board members, superintendents, and*  
15 *principals;*

16 (C) *teachers (especially teachers involved in the*  
17 *development of content standards);*

18 (D) *parents and individuals with experience in*  
19 *promoting parental involvement in education;*

20 (E) *representatives of business;*

21 (F) *experts in vocational-technical education;*

22 (G) *representatives of regional accrediting asso-*  
23 *ciations;*

24 (H) *individuals with expertise in school finance*  
25 *and equity, the education of at-risk students, and the*



1       *preparation and training of teachers and school ad-*  
2       *ministrators;*

3             *(I) curriculum and school reform experts;*

4             *(J) student and civil rights advocacy groups;*

5             *(K) representatives of higher education; and*

6             *(L) secondary school students.*

7       *(3) In developing voluntary national opportunity-to-*  
8       *learn standards, such consortium shall—*

9             *(A) draw upon current research about student*  
10       *achievement and the necessary conditions for effective*  
11       *teaching and learning; and*

12            *(B) provide for the development of several con-*  
13       *secutive drafts of standards which incorporate the*  
14       *comments and recommendations of educators and*  
15       *other knowledgeable individuals across the Nation.*

16       *(4) One-third of the consortium shall consist of indi-*  
17       *viduals with expertise in the educational needs and assess-*  
18       *ment of children who are from low-income families, minor-*  
19       *ity backgrounds, have limited-English proficiency, or have*  
20       *disabilities.*

21       *(5) The membership of the consortium shall be geo-*  
22       *graphically representative and reflect the racial, ethnic, and*  
23       *gender diversity of the United States.*

24       *(b) APPLICATIONS.—(1) Any consortium that desires*  
25       *to receive a grant under this subsection shall submit an ap-*

1 *plication to the Secretary at such time, in such manner,*  
 2 *and containing such information and assurances as the*  
 3 *Secretary may require.*

4 *(2) In awarding such grant, the Secretary shall give*  
 5 *priority to applications from consortia which involve indi-*  
 6 *viduals and organizations with the greatest diversity of per-*  
 7 *spectives and points of view.*

8 *(3) In establishing additional priorities and selection*  
 9 *criteria for such grant, the Secretary shall give serious con-*  
 10 *sideration to the recommendations made by the Council*  
 11 *pursuant to section 123(c)(4)(A).*

12 *(c) REPORT.—After the development of the voluntary*  
 13 *national opportunity-to-learn standards, the consortium*  
 14 *funded under this section shall submit a report to the Sec-*  
 15 *retary which discusses the background, important issues,*  
 16 *and rationale regarding such standards.*

17 **SEC. 140. ASSESSMENT DEVELOPMENT AND EVALUATION**  
 18 **GRANTS.**

19 *(a) GENERAL.—(1) The Secretary is authorized to*  
 20 *make grants to States and local educational agencies or*  
 21 *consortia of such agencies to help defray the cost of develop-*  
 22 *ing, field testing, and evaluating assessment systems, to be*  
 23 *used for some or all of the purposes indicated in section*  
 24 *123(f)(1)(B), that are aligned to State content standards*  
 25 *certified by the Council.*

1       (2) *The Secretary shall reserve a portion of the funds*  
2 *authorized under section 141(d) for grants to State edu-*  
3 *cational agencies and local educational agencies for pur-*  
4 *poses of developing such assessments in languages other*  
5 *than English.*

6       (b) *APPLICATIONS.*—*A State, local educational agency,*  
7 *or consortium of such agencies that desires to receive a*  
8 *grant under subsection (a)(1) shall submit an application*  
9 *to the Secretary at such time, in such manner, and contain-*  
10 *ing such information and assurances as the Secretary may*  
11 *require.*

12       (c) *REQUIREMENTS.*—(1) *A recipient of a grant under*  
13 *this section shall—*

14               (A) *examine the validity and reliability of an*  
15 *assessment system for the particular purposes for*  
16 *which such assessment system was developed;*

17               (B) *ensure that an assessment system is consist-*  
18 *ent with relevant, nationally recognized professional*  
19 *and technical standards for assessments; and*

20               (C) *devote special attention to how an assessment*  
21 *system, treats all students, especially with regard to*  
22 *the race, gender, ethnicity, disability, and language*  
23 *proficiency.*

24       (2) *An assessment system developed and evaluated*  
25 *with funds under this section may not be used for decisions*

1 *about individual students relating to program placement,*  
2 *promotion, or retention, graduation, or employment for a*  
3 *period of five years from the date of enactment of this Act.*

4 **SEC. 141. EVALUATION.**

5 (a) GRANT.—From funds reserved under section  
6 154(a)(2), the Secretary annually shall make a grant, in  
7 an amount not to exceed \$500,000, to the Commission on  
8 Behavioral and Social Sciences and Education of the Na-  
9 tional Academy of Sciences or to the National Academy of  
10 Education to—

11 (1) evaluate—

12 (A) the technical quality of the work per-  
13 formed by the Goals Panel and the Council;

14 (B) the process the Council uses to develop  
15 criteria for certification of standards and assess-  
16 ments;

17 (C) the process the Council uses to certify  
18 voluntary national standards as well as stand-  
19 ards and assessments voluntarily submitted by  
20 States; and

21 (D) the process the Goals Panel uses to ap-  
22 prove certification criteria and voluntary na-  
23 tional standards;

1           (2) periodically provide to the Goals Panel and  
 2           the Council, as appropriate, information from the  
 3           evaluation under paragraph (1); and

4           (3) report on the activities authorized under sec-  
 5           tions 139 and 140.

6           (b) *REPORT*.—The grant recipient shall periodically  
 7           report to the Congress, the Secretary, and the public regard-  
 8           ing findings and shall make a final report not later than  
 9           January 1, 1998.

### 10           **Subpart 3—Authorization of Appropriations**

#### 11           **SEC. 145. AUTHORIZATION OF APPROPRIATIONS.**

12           (a) *NATIONAL EDUCATION GOALS PANEL*.—There are  
 13           authorized to be appropriated \$3,000,000 for fiscal year  
 14           1994 and such sums as may be necessary for each of the  
 15           four succeeding fiscal years to carry out part A of this title.

16           (b) *NATIONAL EDUCATION STANDARDS AND IMPROVE-  
 17           MENT COUNCIL*.—There are authorized to be appropriated  
 18           \$3,000,000 for fiscal year 1994 and such sums as may be  
 19           necessary for each of the fiscal years 1995 through 1998 to  
 20           carry out part B of this title.

21           (c) *OPPORTUNITY-TO-LEARN DEVELOPMENT GRANT*.—  
 22           There are authorized to be appropriated \$3,000,000 for fis-  
 23           cal year 1994 and such sums as may be necessary for fiscal  
 24           year 1995 to carry out the Opportunity-to-Learn Develop-

1 *ment Grant Program established under section 139 of this*  
 2 *title.*

3 *(d) ASSESSMENT DEVELOPMENT AND EVALUATION*  
 4 *GRANTS.—There are authorized to be appropriated*  
 5 *\$5,000,000 for fiscal year 1994 and such sums as may be*  
 6 *necessary for each of the fiscal years 1995 through 1998 to*  
 7 *carry out the Assessment Development and Evaluation*  
 8 *Grants Program established under section 140 of this title.*

9 ***PART C—STATE AND LOCAL EDUCATION***  
 10 ***SYSTEMIC IMPROVEMENT***

11 ***SEC. 151. CONGRESSIONAL FINDINGS.***

12 *The Congress finds that—*

13 *(1) all students can learn and achieve high*  
 14 *standards and must realize their potential if the*  
 15 *United States is to prosper;*

16 *(2) the reforms in education of the last 15 years*  
 17 *have achieved some good results, but these efforts often*  
 18 *have been limited to a few schools or to a single part*  
 19 *of the educational system;*

20 *(3) leadership must come both from teachers, re-*  
 21 *lated services personnel, principals, and parents in*  
 22 *individual schools and from policymakers at the local,*  
 23 *State, tribal, and national levels, in order for lasting*  
 24 *improvements in student performance to occur;*

1           (4) *simultaneous top-down and bottom-up edu-*  
2           *cation reform is necessary to spur creative and inno-*  
3           *vative approaches by individual schools to help all*  
4           *students achieve internationally competitive stand-*  
5           *ards;*

6           (5) *strategies must be developed by communities*  
7           *and States to support the revitalization of all local*  
8           *public schools by fundamentally changing the entire*  
9           *system of public education through comprehensive, co-*  
10          *herent, and coordinated improvement in order to in-*  
11          *crease student learning;*

12          (6) *parents, teachers, and other local educators,*  
13          *and business, community, and tribal leaders must be*  
14          *involved in developing systemwide improvement strat-*  
15          *egies that reflect the needs of their individual commu-*  
16          *nities;*

17          (7) *State and local education improvement ef-*  
18          *forts must incorporate strategies for providing all stu-*  
19          *dents and families with coordinated access to appro-*  
20          *priate social services, health care, nutrition, and child*  
21          *care to remove preventable barriers to learning and*  
22          *enhance school readiness for all students;*

23          (8) *States and local educational agencies, work-*  
24          *ing together, must immediately set about developing*  
25          *and implementing such systemwide improvement*

1        *strategies if the Nation is to educate all children to*  
2        *meet their full potential and achieve the National*  
3        *Education Goals listed in title I of this Act;*

4            *(9) State and local systemic improvement strate-*  
5        *gies must provide all students with effective mecha-*  
6        *nisms and appropriate paths to the workforce as well*  
7        *as to higher education;*

8            *(10) business should be encouraged to enter into*  
9        *partnerships with schools, provide information and*  
10       *guidance to schools on the needs of area business for*  
11       *properly educated graduates in general and on the*  
12       *need for particular workplace skills, that the schools*  
13       *may provide necessary material and support, and*  
14       *continue the lifelong learning process throughout the*  
15       *employment years of an individual, and schools*  
16       *should provide information to business regarding how*  
17       *the business community can assist schools in meeting*  
18       *the goals of this Act;*

19           *(11) institutions of higher education should be*  
20       *encouraged to enter into partnerships with schools to*  
21       *provide information and guidance to schools on the*  
22       *skills and knowledge graduates need in order to enter*  
23       *and successfully complete postsecondary education,*  
24       *and schools should provide information and guidance*  
25       *to institutions of higher education on the skills,*



1        *knowledge, and preservice training teachers need, and*  
2        *the types of professional development educators need*  
3        *in order to meet the goals of this Act;*

4            *(12) the appropriate and innovative use of tech-*  
5        *nology, including distance learning, can be very effec-*  
6        *tive in helping to bring all students the opportunity*  
7        *to learn and meet high standards; and*

8            *(13) Federal funds should be targeted to support*  
9        *local and State initiatives, and to leverage State and*  
10       *local resources for designing and implementing sys-*  
11       *tem-wide improvement plans.*

12    **SEC. 152. PURPOSE.**

13        *The purpose of this title is to improve the quality of*  
14       *education for all students by improving student learning*  
15       *through a long-term, broad-based effort to promote coherent*  
16       *and coordinated improvements in the system of education*  
17       *throughout the Nation at the local and State levels. This*  
18       *title provides new authorities and funding for the Nation's*  
19       *school systems without replacing or reducing funding for*  
20       *existing Federal education programs. It is the intention of*  
21       *the Congress that no State or local educational agency will*  
22       *reduce its funding for education or for education reform on*  
23       *account of receiving any funds under this title.*

1 **SEC. 153. AUTHORIZATION OF APPROPRIATIONS.**

2 *For the purpose of carrying out this title, there are*  
3 *authorized to be appropriated \$393,000,000 for the fiscal*  
4 *year 1994, and such sums as may be necessary for each*  
5 *of the fiscal years 1995 through 1998.*

6 **SEC. 154. ALLOTMENT OF FUNDS.**

7 *(a) RESERVATIONS OF FUNDS.—From funds appro-*  
8 *priated under section 153, the Secretary—*

9 *(1) shall reserve a total of one percent to provide*  
10 *assistance, in amounts determined by the Secretary—*

11 *(A) to the outlying areas; and*

12 *(B) to the Secretary of the Interior to bene-*  
13 *fit Indian students in schools operated or funded*  
14 *by the Bureau of Indian Affairs (referred to in*  
15 *this Act as the “Bureau”); and*

16 *(2) may reserve a total of up to 6 percent for—*

17 *(A) national leadership activities under sec-*  
18 *tion 163;*

19 *(B) the costs of peer review of State im-*  
20 *provement plans and applications under this*  
21 *title; and*

22 *(C) evaluation activities under section 141.*

23 *(b) STATE ALLOTMENTS.—The Secretary shall allot*  
24 *the remaining amount appropriated under section 153 for*  
25 *each fiscal year to the States (which for the purposes of this*  
26 *subsection does not include the outlying areas) as follows:*

1           (1) 50 percent of such remaining amount shall  
2       be allocated in accordance with the relative amounts  
3       such State received under chapter 1 of title I of the  
4       Elementary and Secondary Education Act of 1965 for  
5       the preceding fiscal year.

6           (2) 50 percent of such remaining amount shall  
7       be allocated in accordance with the relative amounts  
8       each such State received under part A of chapter 2 of  
9       title I of the Elementary and Secondary Education  
10      Act of 1965 for the preceding fiscal year.

11       (c) *REALLOTMENTS.*—If the Secretary determines that  
12   any amount of a State's allotment for any fiscal year under  
13   subsection (b) will not be needed for such fiscal year by the  
14   State, the Secretary shall reallocate such amount to other  
15   States that need additional funds, in such manner as the  
16   Secretary determines is appropriate.

17   **SEC. 155. STATE APPLICATIONS.**

18       (a) *GENERAL.*—(1) If a State desires to receive a grant  
19   under this title, the State educational agency shall submit  
20   an application to the Secretary at such time and in such  
21   manner as the Secretary may determine.

22       (2) In addition to the information described in sub-  
23   sections (b) and (c), each such application shall include—

24           (A) an assurance that the State educational  
25      agency will cooperate with the Secretary in carrying

1        *out the Secretary's responsibilities under section 162,*  
2        *and will comply with reasonable requests of the Sec-*  
3        *retary for data related to the State's progress in de-*  
4        *veloping and implementing its State improvement*  
5        *plan under this title;*

6            *(B) an assurance that State law provides ade-*  
7        *quate authority to carry out each component of the*  
8        *State's improvement plan developed, or to be devel-*  
9        *oped under section 156, or that such authority will be*  
10       *sought;*

11           *(C) an assurance that the standards developed*  
12       *for student achievement are not less rigorous than stu-*  
13       *dent achievement standards used prior to the date of*  
14       *enactment of this Act;*

15           *(D) an assurance that the State will provide for*  
16       *broad public participation in the planning process;*  
17       *and*

18           *(E) such other assurances and information as*  
19       *the Secretary may require.*

20        *(b) FIRST YEAR.—A State's application for the first*  
21       *year of assistance under this title shall—*

22           *(1) describe the process by which the State will*  
23       *develop a school improvement plan that meets the re-*  
24       *quirements of section 156; and*

1           (2) describe how the State educational agency  
 2           will use funds received under this title for such year,  
 3           including how the State educational agency will make  
 4           subgrants to local educational agencies and for teach-  
 5           er training.

6           (c) *SUBSEQUENT YEARS.*—A State's second applica-  
 7           tion under this title shall—

8           (1) cover the second through fifth years of its  
 9           participation;

10          (2) include a copy of the State's improvement  
 11          plan that meets the requirements of section 156 or, if  
 12          the State plan is not complete, a statement of the  
 13          steps it will take to complete the plan and a schedule  
 14          for doing so; and

15          (3) include an explanation of how the State will  
 16          use funds received under this title, including how it  
 17          will make subgrants to local educational agencies and  
 18          for teacher training under section 159(b)(1).

19   **SEC. 156. STATE IMPROVEMENT PLANS.**

20          (a) *BASIC SCOPE OF PLAN.*—Any State educational  
 21          agency that wishes to receive a grant under this title after  
 22          its first year of participation shall develop and implement  
 23          a plan for the fundamental restructuring and improvement  
 24          of elementary and secondary education in the State. This  
 25          plan must address—

1           (1) *in accordance with subsection (c), the estab-*  
2           *lishment or adoption of challenging content and stu-*  
3           *dent performance standards for all students and the*  
4           *use of curricula, instructional practices, assessments,*  
5           *technology, parental involvement programs, and pro-*  
6           *fessional preparation and development approaches*  
7           *appropriate to help all students reach such standards;*

8           (2) *in accordance with subsection (d), the estab-*  
9           *lishment or adoption of opportunity-to-learn stand-*  
10          *ards that will define the conditions of teaching and*  
11          *learning that provide all students the opportunity to*  
12          *meet the challenging content and student performance*  
13          *standards;*

14          (3) *in accordance with subsection (e), needed*  
15          *changes in the governance and management of the*  
16          *education system in order to effectively focus schools*  
17          *on, and assist them in, preparing all students to meet*  
18          *the challenging State standards;*

19          (4) *in accordance with subsection (f), comprehen-*  
20          *sive strategies to involve communities, including par-*  
21          *ents, businesses, libraries, institutions of higher edu-*  
22          *cation, employment and training agencies, health and*  
23          *human service agencies, advocacy groups, cultural in-*  
24          *stitutions, and other public and private agencies that*  
25          *provide social services, health care, child care, early*

1 childhood education, and nutrition to students, in  
2 helping all students meet the challenging State stand-  
3 ards;

4 (5) in accordance with subsection (g), strategies  
5 for ensuring that all local educational agencies and  
6 schools within the State are involved in developing  
7 and implementing needed improvements within a  
8 specified period of time;

9 (6) in accordance with subsection (h), strategies  
10 for ensuring that comprehensive, systemic reform is  
11 promoted from the bottom up in communities, local  
12 educational agencies, and schools; and

13 (7) the needs of the children, ages 5 through 18,  
14 who are out of school and the extent to which such  
15 children can be brought back into the education sys-  
16 tem and meet the standards set forth in this Act.

17 (b) *PLAN DEVELOPMENT.*—(1) A State improvement  
18 plan under this title must be developed by a broad-based  
19 panel (referred to in this title as the “panel”) in coopera-  
20 tion with the State educational agency and the Governor.  
21 The panel shall include—

22 (A) the Governor and the chief State school offi-  
23 cer, or their designees;

1           (B) the chairman of the State board of education  
2           and the chairmen of the appropriate authorizing com-  
3           mittees of the State legislature, or their designees;

4           (C) teachers, principals, and administrators who  
5           have successfully improved student performance and  
6           deans of colleges of education;

7           (D) representatives of teacher organizations, par-  
8           ents, institutions of higher education, business and  
9           labor leaders, community-based organizations, Indian  
10          tribes, local boards of education, State and local offi-  
11          cials responsible for health, social services, and other  
12          related services, and others, as appropriate;

13          (E) representatives from rural and urban local  
14          educational agencies in the State; and

15          (F) experts in educational measurement and as-  
16          sessment.

17          (2) The Governor and the chief State school officer  
18          shall each appoint half the members of the State panel. The  
19          full panel shall establish the procedures regarding the oper-  
20          ation of the panel, including the designation of the panel  
21          chairperson.

22          (3) To the extent feasible, the membership of the panel  
23          shall be geographically representative of the State and re-  
24          flect the diversity of the population of the State with regard  
25          to race, ethnicity, gender, and disability characteristics.



1       (4) *One-third of the panel members shall be individ-*  
2 *uals with expertise in the educational needs and assess-*  
3 *ments of children who are from low-income families, minor-*  
4 *ity group backgrounds, have limited-English proficiency, or*  
5 *have disabilities.*

6       (5) *The panel shall consult the Governor, the chief*  
7 *State school officer, the State board of education, and rel-*  
8 *evant committees of the State legislature in developing the*  
9 *plan.*

10       (6) *The panel shall be responsible for conducting a*  
11 *statewide, grassroots outreach process, including conducting*  
12 *public hearings, to involve educators, related services per-*  
13 *sonnel, parents, secondary school students, local officials,*  
14 *private nonprofit elementary and secondary schools, com-*  
15 *munity and business leaders, Indian tribes, citizens, chil-*  
16 *dren's advocates, and others with a stake in the success of*  
17 *students and their education system, and who are represent-*  
18 *ative of the diversity of the State and its student popu-*  
19 *lation, in the development of the State plan and in a*  
20 *continuing dialog regarding the need for and nature of chal-*  
21 *lenging standards for all students and local and State re-*  
22 *sponsibilities for helping all students achieve them.*

23       (7) *The panel shall develop a continuing process for*  
24 *interacting with local educational agencies and individual*  
25 *schools engaged in systemic reform, especially including*

1 *local educational agencies and schools which receive*  
2 *subgrants under section 159 of this Act, to ensure that the*  
3 *development and implementation of the State plan reflects*  
4 *their needs and experiences.*

5       (8) *The panel shall develop a State plan, provide op-*  
6 *portunity for public comment, and submit the State plan*  
7 *to the State educational agency for approval.*

8       (9) *The State educational agency shall submit the*  
9 *original State improvement plan developed by the panel*  
10 *and the State improvement plan if modified by such agen-*  
11 *cy, together with an explanation of any changes made by*  
12 *such agency to the plan developed by the panel, to the Sec-*  
13 *retary for approval.*

14       (10) *If any portion of the State plan addresses matters*  
15 *that, under State or other applicable law, are not under*  
16 *the authority of the State educational agency, the State edu-*  
17 *cational agency shall obtain the approval of, or changes to,*  
18 *such portion, with an explanation from the Governor or*  
19 *other official responsible for that portion before submitting*  
20 *the plan to the Secretary.*

21       (11) *After approval of the State plan by the Secretary,*  
22 *the panel, in close consultation with teachers, principals,*  
23 *administrators, school boards, advocacy groups, advocates*  
24 *of children with disabilities and parents in local edu-*  
25 *cational agencies and schools receiving funds under this*

1 *title, shall monitor the implementation and effectiveness of*  
2 *the State plan to determine if revisions are appropriate,*  
3 *and shall periodically report its findings to the public.*

4 *(c) TEACHING, LEARNING, STANDARDS, AND ASSESS-*  
5 *MENTS.—Each State plan shall establish strategies and a*  
6 *timetable for improving teaching and learning, including—*

7 *(1) a process for developing or adopting chal-*  
8 *lenging content and student performance standards*  
9 *for all students which includes coordinating the*  
10 *standards developed pursuant to section 115 of the*  
11 *Carl D. Perkins Vocational and Applied Technology*  
12 *Education Act of 1990;*

13 *(2) a process for providing assistance and sup-*  
14 *port to local educational agencies and schools to give*  
15 *them the capacity and responsibility to provide all*  
16 *students the opportunity to increase education*  
17 *achievement and meet challenging State content and*  
18 *student performance standards;*

19 *(3) assessing the effectiveness and equity of the*  
20 *school finance program of the State to identify dis-*  
21 *parities in the resources available to each local edu-*  
22 *cational agency and school in such State and how*  
23 *such disparities affect the ability of the State edu-*  
24 *cational agency and local educational agencies to de-*  
25 *velop and implement plans under this title;*

1           (4) a process for developing, adopting, or rec-  
2           ommending instructional materials, including gender  
3           equitable and multicultural materials, and technology  
4           to support and assist local educational agencies and  
5           schools to provide all students the opportunity to meet  
6           the challenging State content and student perform-  
7           ance standards;

8           (5) a process for developing and implementing a  
9           valid and nondiscriminatory assessment system or set  
10          of locally-based assessment systems which are consist-  
11          ent with relevant, nationally recognized, professional  
12          and technical standards for assessment, and are capa-  
13          ble of providing coherent information about student  
14          attainments relative to the State content standards;

15          (6) a process for monitoring the implementation  
16          of such system or systems and the impact on im-  
17          proved instruction for all students;

18          (7) a process for improving the State's system of  
19          teacher and school administrator preparation, licen-  
20          sure, and continuing professional development so that  
21          all teachers, related services personnel, and adminis-  
22          trators develop the subject matter and pedagogical ex-  
23          pertise needed to prepare all students to meet the  
24          challenging standards under paragraph (1);

1           (8) a process for providing appropriate and ef-  
2       fective professional development, including the use of  
3       technology, distance learning, and gender-equitable  
4       methods, necessary for teachers, school administrators,  
5       and others to help all students meet the challenging  
6       standards under paragraph (1); and

7           (9) a process to ensure widespread participation  
8       of classroom teachers in developing the portions of the  
9       plan described in this subsection.

10       (d) *OPPORTUNITY-TO-LEARN STANDARDS.*—Each  
11   State plan shall establish a strategy and timetable for—

12           (1) adopting or establishing opportunity-to-learn  
13       standards that are consistent with the challenging  
14       content and student performance standards that have  
15       been adopted or established;

16           (2) ensuring that every school in the State is  
17       making demonstrable progress toward meeting the  
18       State's opportunity-to-learn standards;

19           (3) ensuring that the State's opportunity-to-  
20       learn standards address the need of all students;

21           (4) providing for periodic assessments of the ex-  
22       tent to which opportunity-to-learn standards are  
23       being met throughout the State; and

24           (5) periodically reporting to the public on the ex-  
25       tent of the State's improvement in achieving such

1        *standards and providing all students with a fair op-*  
2        *portunity to achieve the knowledge and skill levels*  
3        *that meet the State's content and student performance*  
4        *standards.*

5        *(e) GOVERNANCE AND MANAGEMENT.—Each State*  
6        *plan shall establish strategies for improved governance and*  
7        *management of its education system, such as—*

8                *(1) aligning responsibility, authority, and ac-*  
9                *countability throughout the education system, so that*  
10              *decisions regarding content and student performance*  
11              *standards are coordinated and decisions regarding the*  
12              *means for achieving such standards are made closest*  
13              *to the learners;*

14              *(2) creating an integrated and coherent ap-*  
15              *proach to attracting, recruiting, preparing and li-*  
16              *censing, appraising, rewarding, retaining, and sup-*  
17              *porting the continued professional development of*  
18              *teachers (including vocational teachers), administra-*  
19              *tors, and other educators, including bilingual edu-*  
20              *cators and special education providers, so that there*  
21              *is a highly talented workforce of professional edu-*  
22              *cators capable of preparing all students to reach chal-*  
23              *lenging standards, with special attention to the re-*  
24              *cruitment, training, and retention of qualified mi-*  
25              *norities into the education profession within the State*

1       to ensure that the profession reflects the racial and  
2       ethnic diversity of the student population;

3           (3) providing incentives for high performance,  
4       such as—

5           (A) working with employers and institu-  
6       tions of higher education to devise strategies to  
7       reward student achievement;

8           (B) incentives for classroom teachers, prin-  
9       cipals, and other professional educators to par-  
10      ticipate in professional development activities;  
11      and

12          (C) school-based incentives for schools and  
13      local educational agencies to improve student  
14      performance;

15          (4) increasing the proportion of State and local  
16      funds allocated to direct instructional purposes; and

17          (5) increasing flexibility for local educational  
18      agencies and schools by, for example—

19           (A) waiving State regulations and other re-  
20      quirements that impede educational improve-  
21      ment;

22           (B) focusing accountability on educational  
23      outcomes rather than monitoring compliance  
24      with input requirements; and

1                   (C) fostering conditions that allow teachers,  
2                   principals, and parents in the school community  
3                   to be creative in helping all students meet chal-  
4                   lenging standards.

5           (f) PARENTAL AND COMMUNITY SUPPORT AND IN-  
6 VOLVEMENT.—Each State plan shall describe strategies for  
7 how the State will involve parents and other community  
8 members in planning, designing, and implementing its  
9 plan, including such strategies as—

10           (1) educating the public about the need for high-  
11           er standards, systemic improvement, and awareness  
12           of diverse learning needs;

13           (2) involving parents, communities, and advo-  
14           cacy groups in the standard-setting and improvement  
15           process;

16           (3) linking the family and school in supporting  
17           students to meet the challenging student content and  
18           performance standards established;

19           (4) reporting, on an ongoing basis, to parents,  
20           educators, and the public on the progress in imple-  
21           menting the plan and improving student perform-  
22           ance;

23           (5) focusing public and private community re-  
24           sources and public school resources on prevention and



1       *early intervention to address the needs of all students*  
2       *by—*

3               *(A) identifying and removing unnecessary*  
4               *regulations and obstacles to coordination;*

5               *(B) improving communication and infor-*  
6               *mation exchange; and*

7               *(C) providing appropriate training to agen-*  
8               *cy personnel; and*

9               *(6) increasing the access of all students to social*  
10              *services, health care, nutrition, related services, and*  
11              *child care services, and locating such services in*  
12              *schools, cooperating service agencies, community-*  
13              *based centers, or other convenient sites designed to*  
14              *provide “one-stop shopping” for parents and students.*

15              *(g) MAKING THE IMPROVEMENTS SYSTEMWIDE.—To*  
16              *help provide all students throughout the State the oppor-*  
17              *tunity to meet challenging State standards, each State plan*  
18              *shall describe strategies such as—*

19                      *(1) ensuring that the improvement efforts expand*  
20                      *from the initial local educational agencies, schools,*  
21                      *and educators involved to all local educational agen-*  
22                      *cies, schools, and educators in the State education*  
23                      *system through such approaches as teacher and ad-*  
24                      *ministrator professional development, technical assist-*  
25                      *ance, whole school projects, intensive summer train-*

1     *ing, and networking of teachers and other educators,*  
2     *consortia of schools, and local educational agencies*  
3     *undertaking similar improvements;*

4             *(2) developing partnerships among preschools, el-*  
5     *ementary and secondary schools, institutions of higher*  
6     *education, cultural institutions, health and social*  
7     *service providers, and employers to improve teaching*  
8     *and learning at all levels of the education system for*  
9     *all students and to foster collaboration and continu-*  
10    *ous improvement;*

11            *(3) developing strategies to provide for the close*  
12    *coordination of standards development and improve-*  
13    *ment efforts among institutions of higher education*  
14    *and secondary, and elementary schools;*

15            *(4) conducting parental involvement activities*  
16    *and outreach programs aimed at parents whose lan-*  
17    *guage is a language other than English, individuals*  
18    *with disabilities, and other special populations, in-*  
19    *cluding American Indians, Alaskan Natives, and Na-*  
20    *tive Hawaiians, to involve all segments of the commu-*  
21    *nity in the development of the State plan;*

22            *(5) developing partnerships with Indian tribes*  
23    *and schools funded by the Bureau, where appropriate,*  
24    *to improve consistency and compatibility in curricu-*

1        *lum among public and such schools funded by the*  
2        *Bureau at all grade levels;*

3            *(6) allocating all available local, State, and Fed-*  
4        *eral resources to achieve system-wide improvement;*

5            *(7) providing for the development of objective cri-*  
6        *teria and measures against which the success of local*  
7        *plans will be evaluated;*

8            *(8) providing for the availability of curricular*  
9        *materials, learning technologies, including distance*  
10       *learning, and professional development in a manner*  
11       *ensuring equal access by all local educational agencies*  
12       *in the State;*

13           *(9) taking steps to ensure that all local edu-*  
14       *cational agencies, schools, and educators in the State*  
15       *benefit from successful programs and practices sup-*  
16       *ported by funds made available to local educational*  
17       *agencies and schools under this title; and*

18           *(10) providing assistance to students, teachers,*  
19       *schools, and local educational agencies that are iden-*  
20       *tified through the assessment system developed under*  
21       *subsection (c)(5) as needing such assistance.*

22        *(h) PROMOTING BOTTOM-UP REFORM.—Each State*  
23       *plan shall include strategies for ensuring that comprehen-*  
24       *sive, systemic reform is promoted from the bottom up in*  
25       *communities, local educational agencies, and schools, as*

1 well as guided by coordination and facilitation from State  
2 leaders, including strategies such as—

3 (1) ensuring that the State plan is responsive to  
4 the needs and experiences of local educational agen-  
5 cies, schools, teachers, the community, and parents;

6 (2) establishing mechanisms for continuous  
7 input from local schools, communities, advocacy  
8 groups, institutions of higher education, and local  
9 educational agencies into, and feedback on, the imple-  
10 mentation of the State plan;

11 (3) providing discretionary resources that enable  
12 teachers and schools to purchase needed professional  
13 development and other forms of assistance consistent  
14 with their improvement plan from high-quality pro-  
15 viders of their choice;

16 (4) establishing collaborative networks of teachers  
17 centered on content standards and assessments for the  
18 purpose of improving teaching and learning;

19 (5) providing flexibility to individual schools  
20 and local educational agencies to enable them to  
21 adapt and integrate State content standards into  
22 courses of study appropriate for individual schools  
23 and communities;

24 (6) facilitating the provision of waivers from  
25 State rules and regulations that impede the ability of

1        *local educational agencies or schools to carry out local*  
2        *education improvement plans; and*

3                *(7) facilitating communication among educators*  
4        *within and between local educational agencies for the*  
5        *purpose of sharing innovative and effective practices,*  
6        *including, through the use of telecommunications, dis-*  
7        *tance learning, site visits, and other means.*

8        *(i) COORDINATION WITH SCHOOL-TO-WORK PRO-*  
9        *GRAMS.—If a State has received Federal assistance for the*  
10       *purpose of planing for, expanding, or establishing a school-*  
11       *to-work program, then a State shall include in the State*  
12       *plan a description of how such school-to-work program will*  
13       *be incorporated into the school reform efforts of the State.*  
14       *In particular, the State plan shall include a description*  
15       *of how secondary schools will be modified in order to pro-*  
16       *vide career guidance, the integration of academic and voca-*  
17       *tional education, and work-based learning, if such pro-*  
18       *grams are proposed in the State's school-to-work plan.*

19       *(j) BENCHMARKS AND TIMELINES.—Each State plan*  
20       *shall include specific benchmarks of improved student per-*  
21       *formance and of progress in implementing the improvement*  
22       *plan, and timelines against which the progress of the State*  
23       *in carrying out its plan, including the elements described*  
24       *in subsections (c) through (h), can be measured.*

1       (k) *COORDINATING STRATEGIES.*—Each State plan  
 2 shall include strategies for coordinating the integration of  
 3 academic and vocational instruction pursuant to the Carl  
 4 D. Perkins Vocational and Applied Technology Education  
 5 Act.

6       (l) *PROGRAM IMPROVEMENT AND ACCOUNTABILITY.*—  
 7 Each State shall describe—

8           (1) *how the State will monitor progress towards*  
 9 *implementing the State and local plans; and*

10          (2) *procedures the State will use to ensure*  
 11 *schools and school districts meet State opportunity-to-*  
 12 *learn and content standards within the established*  
 13 *time lines.*

14       (m) *PROHIBITION ON FEDERAL MANDATES, DIREC-*  
 15 *TION, AND CONTROL.*—Nothing in this section shall be con-  
 16 strued to authorize an officer or employee of the Federal  
 17 Government to mandate, direct, or control a State, local  
 18 educational agency, or school's curriculum, program of in-  
 19 struction, or allocation of State and local resources.

20       (n) *PEER REVIEW AND SECRETARIAL APPROVAL.*—(1)  
 21 The Secretary shall review each State improvement plan  
 22 prepared under this section, and each application submit-  
 23 ted under section 155, with the assistance and advice of  
 24 State and local education policymakers, educators, class-  
 25 room teachers, related services personnel, experts on edu-

1 *cational innovation and improvement, parents, advocates*  
2 *for children with disabilities, representatives of other advo-*  
3 *cacy groups, and other appropriate individuals. The peer*  
4 *review process shall be performed by individuals representa-*  
5 *tive of the diversity of the United States with regard to ge-*  
6 *ography, race, ethnicity, gender, and disability. The review*  
7 *of each State plan shall include at least one site visit to*  
8 *each State.*

9       *(2) The Secretary shall approve a State's plan when*  
10 *the Secretary determines, after considering the peer review-*  
11 *ers' comment, that it—*

12               *(A) reflects a widespread commitment within the*  
13 *State;*

14               *(B) holds reasonable promise of enabling all stu-*  
15 *dents to achieve at the high levels called for by this*  
16 *Act;*

17               *(C) meets the requirements of subsections (a)*  
18 *through (k); and*

19               *(D) allows local schools, local educational agen-*  
20 *cies and communities the flexibility to implement*  
21 *local improvement plans in a manner which reflects*  
22 *local needs and requirements in order to promote a*  
23 *'bottom up' system of school reform.*

1       (3) *The Secretary shall not decline to approve a State’s*  
2 *plan, or any State application submitted under section 155,*  
3 *before offering the State—*

4           (A) *an opportunity to revise its plan or applica-*  
5 *tion; and*

6           (B) *a hearing.*

7       (o) *REGULAR REVIEW.—Each State plan shall include*  
8 *a process for regularly reviewing and updating any State*  
9 *content, student performance, and opportunity-to-learn*  
10 *standards and assessment systems.*

11       (p) *AMENDMENTS TO PLAN.—(1) Each State shall pe-*  
12 *riodically review its plan and revise it, as appropriate, in*  
13 *accordance with the process described in subsection (b).*

14       (2) *The Secretary shall review major amendments to*  
15 *a State’s plan through the same process, described in sub-*  
16 *section (j), used to review the original plan.*

17       (q) *PREEXISTING STATE PLANS AND PANELS.—(1) If*  
18 *a State has developed a comprehensive and systemic im-*  
19 *provement plan to help all students meet challenging stand-*  
20 *ards, or any component of such a plan, that otherwise meets*  
21 *the requirements of this section, the Secretary may approve*  
22 *such plan or component notwithstanding that it was not*  
23 *developed in accordance with subsection (b), if the Secretary*  
24 *determines that such approval would further the purposes*  
25 *of State systemic education improvement.*



1       (2) *If, before the enactment of this Act, a State has*  
 2 *made substantial progress in developing a plan that other-*  
 3 *wise meets, or is likely to meet, the requirements of this*  
 4 *section, but was developed by a panel that does not meet*  
 5 *the requirements of paragraphs (1), (2), and (3) of sub-*  
 6 *section (b), the Secretary may, at the request of the Gov-*  
 7 *ernor and the State educational agency, treat such panel*  
 8 *as meeting the requirements of this title if the Secretary*  
 9 *determines that there has been statewide involvement of edu-*  
 10 *cators, parents, students, advocacy groups, other interested*  
 11 *members of the public in the development of the plan.*

12 ***SEC. 157. SECRETARY'S REVIEW OF APPLICATIONS; PAY-***  
 13 ***MENTS.***

14       (a) *FIRST YEAR.*—*The Secretary shall approve the ini-*  
 15 *tial year application of a State educational agency under*  
 16 *section 155(b) if the Secretary determines that—*

17               (1) *such application meets the requirements of*  
 18       *this title; and*

19               (2) *there is a substantial likelihood that the re-*  
 20 *newal application of the State will be able to develop*  
 21 *and implement an education improvement plan that*  
 22 *complies with section 156.*

23       (b) *SECOND THROUGH FIFTH YEARS.*—*The Secretary*  
 24 *shall approve a renewal application of a State educational*

1 agency under section 155(c) for the second through fifth  
2 years only if—

3 (1)(A) the Secretary has approved the State's  
4 improvement plan under section 156(l); or

5 (B) the Secretary determines that the State has  
6 made substantial progress in developing such plan;  
7 and

8 (2) such application meets the other require-  
9 ments of this title.

10 (c) PAYMENTS.—For any fiscal year for which a State  
11 has an approved application under this title, the Secretary  
12 shall make a grant to the State educational agency in the  
13 amount determined under section 154(b).

14 **SEC. 158. STATE USE OF FUNDS.**

15 (a) FIRST YEAR.—In the first year for which a State  
16 educational agency receives a grant under this title, the  
17 State—

18 (1) shall use at least 75 percent of such funds to  
19 make subgrants, in accordance with section 159(a), to  
20 local educational agencies for the development or im-  
21 plementation of local improvement plans and to make  
22 subgrants, in accordance with section 159(b), to im-  
23 prove educator preservice programs and for profes-  
24 sional development activities consistent with the State  
25 plan, if the amount allocated to States under section

1       154(b) for such year is at least \$50,000,000. The  
2       State may use such funds for such subgrants if such  
3       amount is less than \$50,000,000; and

4               (2) shall use the remainder of such funds to de-  
5       velop, revise, expand, or implement an education im-  
6       provement plan described in section 156.

7       (b) SUCCEEDING YEARS.—A State that receives assist-  
8       ance under this title for any year after the first year of  
9       participation shall—

10              (1) use at least 90 percent of such assistance in  
11       each succeeding year to make subgrants—

12                      (A) to local educational agencies, in accord-  
13       ance with section 159(a), for the implementation  
14       of the State improvement plan and of local im-  
15       provement plans; and

16                      (B) in accordance with section 159(b), to  
17       improve educator preservice programs and for  
18       professional development activities that are con-  
19       sistent with the State improvement plan; and

20              (2) use the remainder of such assistance for State  
21       activities designed to implement its improvement  
22       plan, such as—

23                      (A) supporting the development or adoption  
24       of State content and student performance stand-  
25       ards, State opportunity-to-learn standards, and

1        *assessments linked to the standards, including*  
2        *through consortia of States, and in conjunction*  
3        *with the National Education Standards and Im-*  
4        *provement Council established under part B of*  
5        *title II of this Act;*

6                *(B) supporting the implementation of high-*  
7        *performance management and organizational*  
8        *strategies, such as site-based management, shared*  
9        *decisionmaking, or quality management prin-*  
10       *ciples, to promote effective implementation of*  
11       *such plan;*

12               *(C) supporting the development and imple-*  
13       *mentation, at the local educational agency and*  
14       *school building level, of improved human re-*  
15       *source development systems for recruiting, select-*  
16       *ing, mentoring, supporting, evaluating, and re-*  
17       *warding educators;*

18               *(D) providing special attention to the needs*  
19       *of minority, limited-English proficient, disabled,*  
20       *and female students, including instructional pro-*  
21       *grams and activities that encourage such stu-*  
22       *dents in elementary and secondary schools to as-*  
23       *pire to enter post secondary education or train-*  
24       *ing;*

1           (E) supporting the development, at the  
2           State or local level, of performance-based ac-  
3           countability and incentive systems for schools;

4           (F) outreach related to education improve-  
5           ment to parents, Indian tribal officials, class-  
6           room teachers, related services personnel, and  
7           other educators, and the public;

8           (G) providing technical assistance and other  
9           services to increase the capacity of local edu-  
10          cational agencies and schools to develop and im-  
11          plement local systemic improvement plans, im-  
12          plement new assessments, and develop curricula  
13          consistent with the content and student perform-  
14          ance standards of the State;

15          (H) promoting public magnet schools, pub-  
16          lic “charter schools”, and other mechanisms for  
17          increasing choice among public schools; and

18          (I) collecting and analyzing data.

19       (c) *LIMIT ON ADMINISTRATIVE COSTS.*—In each year,  
20       a State may use not more than four percent of its annual  
21       allotment under this title, or \$100,000, whichever is greater,  
22       for administrative expenses, not including the activities of  
23       the panel established under section 156(b)(1).

1 **SEC. 159. SUBGRANTS FOR LOCAL REFORM AND PROFES-**  
2 **SIONAL DEVELOPMENT.**

3 (a) *SUBGRANTS TO LOCAL EDUCATIONAL AGEN-*  
4 *CIES.—(1)(A) Each State educational agency shall make*  
5 *subgrants to local educational agencies (or consortia of such*  
6 *agencies) consistent with subsections (a)(1) and (b)(1)(A)*  
7 *of section 158 through a competitive process.*

8 (B) *In making such subgrants, the State educational*  
9 *agency shall award not less than 1 subgrant in each fiscal*  
10 *year to an urban local educational agency and not less than*  
11 *1 subgrant in each fiscal year to a rural local educational*  
12 *agency, except that this provision shall not apply to the*  
13 *District of Columbia. Rural local educational agencies may*  
14 *include or be represented as a fiscal agent by an education*  
15 *service agency.*

16 (C) *Each subgrant shall be for a project of sufficient*  
17 *duration and of sufficient size, scope, and quality to carry*  
18 *out the purpose of this title effectively.*

19 (2) *A local educational agency wishing to receive a*  
20 *subgrant under this title for the purpose of developing a*  
21 *comprehensive local plan shall submit an application to the*  
22 *State educational agency. Such application shall contain*  
23 *assurances that the local educational agency intends to de-*  
24 *velop a plan that meets the requirements of this section.*

25 (3) *Each local educational agency wishing to receive*  
26 *a subgrant for the purpose of implementing a plan under*

1 *this subsection shall submit a local plan to the State edu-*  
2 *cational agency which—*

3 *(A) is developed by a broad-based panel that—*

4 *(i) is appointed by the local educational*  
5 *agency and is representative of the diversity of*  
6 *students and community with regard to race,*  
7 *language, ethnicity, gender, disability, and socio-*  
8 *economic characteristics and includes teachers,*  
9 *parents, advocacy groups, school administrators,*  
10 *business representatives, and others, as appro-*  
11 *priate; and*

12 *(ii) shall, following the selection of its mem-*  
13 *bers, establish the procedures regarding the oper-*  
14 *ation of the panel, including the designation of*  
15 *the chairperson;*

16 *(B) includes a comprehensive local plan for dis-*  
17 *trictwide education improvement, directed at enabling*  
18 *all students to meet the challenging content and stu-*  
19 *dent performance standards of the State, including*  
20 *specific goals and benchmarks, consistent with the*  
21 *State improvement plan (either approved or under*  
22 *development) and includes a strategy for—*

23 *(i) implementing opportunity-to-learn*  
24 *standards;*

25 *(ii) improving teaching and learning;*

1                   (iii) improving governance and manage-  
2                   ment;

3                   (iv) generating and strengthening parental  
4                   and community involvement; and

5                   (v) expanding improvements throughout the  
6                   local educational agency;

7                   (C) promotes the flexibility of local schools in de-  
8                   veloping plans which address the particular needs of  
9                   their school and community and are consistent with  
10                  the local plan;

11                  (D) describes a process of broad-based commu-  
12                  nity participation in the development, implementa-  
13                  tion, and evaluation of the local plan;

14                  (E) describes how the local educational agency  
15                  will encourage and assist schools to develop com-  
16                  prehensive school improvement plans that focus on  
17                  helping all students reach challenging content and  
18                  student performance standards and that address rel-  
19                  evant elements of the improvement plan of the local  
20                  educational agency identified in subparagraph (B);

21                  (F) describes how the local educational agency  
22                  will implement specific programs aimed at ensuring  
23                  improvements in school readiness and the ability of  
24                  students to learn effectively at all grade levels by  
25                  identifying the most pressing needs facing students



1        *and their families with regard to social services,*  
2        *health care, nutrition, and child care, and by entering*  
3        *into partnerships with public and private agencies to*  
4        *increase the access of students and families to coordi-*  
5        *nated services in a school setting or at a nearby site;*

6            *(G) describes how the subgrant will be used by*  
7        *the local educational agency, and the procedures to be*  
8        *used to make funds available to schools in accordance*  
9        *with paragraph (6)(A);*

10           *(H) identifies, with an explanation, any State or*  
11        *Federal requirements that the local educational agen-*  
12        *cy believes impede educational improvement and that*  
13        *such local educational agency requests be waived in*  
14        *accordance with section 161 (such requests shall*  
15        *promptly be transmitted to the Secretary by the State*  
16        *educational agency); and*

17           *(I) contains such other information as the State*  
18        *educational agency may reasonably require.*

19        *(4) A local educational agency which has approved a*  
20        *local plan shall submit such plan to the State for approval*  
21        *together with a description of modifications to such plan*  
22        *and any comments from the local panel regarding such*  
23        *plan.*

24           *(5) The panel appointed under paragraph (3)(A) shall,*  
25        *after approval by the State educational agency of the appli-*

1 cation of the local educational agency, monitor the imple-  
2 mentation and effectiveness of the local improvement plan  
3 in close consultation with teachers, related services person-  
4 nel, principals, administrators, community members, and  
5 parents from schools receiving funds under this title, to de-  
6 termine if revisions to the local plan should be recommended  
7 to the local educational agency. The panel shall make public  
8 its findings.

9 (6)(A) A local educational agency that receives a  
10 subgrant under this subsection shall—

11 (i) in the first year, use not more than 25 per-  
12 cent of subgrant funds to develop a local improvement  
13 plan or to implement any local educational activities  
14 approved by the State educational agency which are  
15 reasonably related to carrying out the State or local  
16 improvement plans, and not less than 75 percent of  
17 such funds to support individual school improvement  
18 initiatives directly related to providing all students  
19 in the school the opportunity to meet challenging  
20 State content and student performance standards;  
21 and

22 (ii) in subsequent years, use subgrant funds for  
23 any activities approved by the State educational  
24 agency which are reasonably related to carrying out  
25 the State or local improvement plans, except that at

1        *least 85 percent of such funds shall be made available*  
2        *to individual schools to develop and implement com-*  
3        *prehensive school improvement plans which are tai-*  
4        *lored to meet the needs of their particular student*  
5        *populations and are designed to help all students*  
6        *meet challenging State content standards.*

7        *(B) At least 50 percent of the funds made available*  
8        *by a local educational agency to individual schools under*  
9        *this section in any fiscal year shall be made available to*  
10       *schools with a special need for such assistance, as indicated*  
11       *by a high number or percentage of students from low-income*  
12       *families, low student achievement, or other similar criteria*  
13       *developed by the local educational agency.*

14       *(C) A local educational agency may not use more than*  
15       *five percent of its annual allotment under this Act for ad-*  
16       *ministrative expenses.*

17       *(7) The State educational agency shall give priority*  
18       *in awarding a subgrant to—*

19                *(A) a consortium of local educational agencies;*  
20        *or*

21                *(B) a local educational agency that makes assur-*  
22        *ances that funds will be used to assist a consortium*  
23        *of schools that has developed a plan for school im-*  
24        *provement.*

1       (b) *SUBGRANTS FOR PRESERVICE TEACHER EDU-*  
2       *CATION AND PROFESSIONAL DEVELOPMENT ACTIVITIES.—*

3       (1)(A) *Each State educational agency shall make subgrants*  
4       *to consortia of local educational agencies, institutions of*  
5       *higher education, private nonprofit organizations, or com-*  
6       *binations thereof, consistent with subsections (a)(1) and*  
7       *(b)(1) of section 158 through a competitive, peer-reviewed*  
8       *process to—*

9               (i) *improve preservice teacher education pro-*  
10       *grams consistent with the State plan, including how*  
11       *to work effectively with parents and the community;*  
12       *and*

13              (ii) *support continuing, sustained professional*  
14       *development activities for educators which will in-*  
15       *crease student learning and are consistent with the*  
16       *State plan.*

17       (B)(i) *In order to apply for a subgrant described in*  
18       *subparagraph (A)(i), a consortium must include at least*  
19       *one local educational agency and at least one institution*  
20       *of higher education.*

21       (ii) *In order to apply for a subgrant described in sub-*  
22       *paragraph (A)(ii), a consortium must include at least one*  
23       *local educational agency.*

1       (2) *A consortium that wishes to receive a subgrant*  
2 *under this subsection shall submit an application to the*  
3 *State educational agency which—*

4           (A) *describes how the applicant will use the*  
5 *subgrant to improve teacher preservice and school ad-*  
6 *ministrator education programs or to implement edu-*  
7 *cator professional development activities consistent*  
8 *with the State plan;*

9           (B) *identifies the criteria to be used by the ap-*  
10 *plicant to judge improvements in preservice education*  
11 *or the effects of professional development activities*  
12 *consistent with the State plan; and*

13           (C) *contains any other information that the*  
14 *State educational agency determines is appropriate.*

15       (3) *A recipient of a subgrant under this subsection*  
16 *shall use the subgrant funds for activities supporting—*

17           (A) *the improvement of preservice teacher edu-*  
18 *cation and school administrator programs so that*  
19 *such programs equip educators with the subject mat-*  
20 *ter and pedagogical expertise necessary for preparing*  
21 *all students to meet challenging standards; or*

22           (B) *the development and implementation of new*  
23 *and improved forms of continuing and sustained pro-*  
24 *fessional development opportunities for teachers, prin-*  
25 *cipals, and other educators at the school or district*

1        *level that equip educators with such expertise, and*  
2        *with other knowledge and skills necessary for leading*  
3        *and participating in continuous education improve-*  
4        *ment.*

5        *(4) A recipient may use the subgrant funds under this*  
6        *subsection for costs related to release time for teachers to*  
7        *participate in professional development activities.*

8        *(5) Professional development shall include related serv-*  
9        *ices personnel as appropriate.*

10       *(6) In awarding subgrants under this subsection, the*  
11       *State educational agency shall give priority to local edu-*  
12       *cational agencies that form partnerships with collegiate*  
13       *educators to establish professional development school sites.*

14       *(c) SPECIAL AWARD RULE.—(1) Each State edu-*  
15       *cational agency shall award at least 50 percent of subgrant*  
16       *funds under subsection (a) in each fiscal year to local edu-*  
17       *cational agencies that have a greater percentage or number*  
18       *of disadvantaged children than the statewide average per-*  
19       *centage or number for all local educational agencies in the*  
20       *State.*

21       *(2) The State educational agency may waive the re-*  
22       *quirement of paragraph (1) if such State does not receive*  
23       *a sufficient number of applications to comply with such*  
24       *requirement.*

1 **SEC. 160. AVAILABILITY OF INFORMATION AND TRAINING.**

2 (a) *INFORMATION AND TRAINING.*—Proportionate to  
3 the number of children in a State or in a local educational  
4 agency who are enrolled in private elementary or secondary  
5 schools—

6 (1) a State educational agency or local edu-  
7 cational agency which uses funds under this title to  
8 develop goals, content standards, curricular materials,  
9 and assessments shall, upon request, make informa-  
10 tion related to such goals, standards, materials, and  
11 assessments available to private schools; and

12 (2) a State educational agency or local edu-  
13 cational agency which uses funds under this title for  
14 teacher and administrator training shall provide in  
15 its plan for the training of teachers and administra-  
16 tors in private schools located in the geographical  
17 area served by such agency.

18 (b) *WAIVER.*—If, by reason of any provision of law,  
19 a State or local educational agency is prohibited from pro-  
20 viding for the equitable participation of teachers and ad-  
21 ministrators from private schools in training programs as-  
22 sisted with Federal funds provided under this title, or if  
23 the Secretary determines that a State or local educational  
24 agency has substantially failed or is unwilling to provide  
25 for such participation, the Secretary shall waive such re-  
26 quirements and shall arrange for the provision of training

1 *consistent with State goals and content standards for such*  
 2 *teachers and administrators. Such waivers shall be subject*  
 3 *to consultation, withholding, notice, and judicial review in*  
 4 *accordance with section 1017 of the Elementary and*  
 5 *Secondary Education Act of 1965.*

6 **SEC. 161. WAIVERS OF STATUTORY AND REGULATORY RE-**  
 7 **QUIREMENTS.**

8 *(a) GENERAL.—(1) Except as provided in subsection*  
 9 *(c), the Secretary may waive any requirement of any stat-*  
 10 *ute listed in subsection (b) or of the regulations issued under*  
 11 *such statute for a State educational agency, local edu-*  
 12 *cational agency, or school that requests such a waiver—*

13 *(A) if, and only to the extent that, the Secretary*  
 14 *determines that such requirement impedes the ability*  
 15 *of the State, or of a local educational agency or school*  
 16 *in the State, to carry out the State or local education*  
 17 *improvement plan;*

18 *(B) if the State educational agency has waived,*  
 19 *or agrees to waive, similar requirements of State law;*  
 20 *and*

21 *(C) if, in the case of a Statewide waiver, the*  
 22 *State educational agency—*

23 *(i) provides all local educational agencies*  
 24 *and parent organizations in the State with no-*  
 25 *tice and an opportunity to comment on the pro-*



1            *posal of the State educational agency to seek a*  
2            *waiver; and*

3                    *(ii) submits the comments of such agencies*  
4            *to the Secretary.*

5            *(2) To request a waiver, a State educational agency,*  
6            *local educational agency, or school that receives funds under*  
7            *this Act or a local educational agency that does not receive*  
8            *funds under this Act but is undertaking school reform efforts*  
9            *that meet the objectives of the State plan, shall submit an*  
10           *application to the Secretary that includes—*

11                    *(A) the identification of statutory or regulatory*  
12                    *requirements that are requested to be waived and the*  
13                    *goals that the State local educational agency or school*  
14                    *intends to achieve;*

15                    *(B) a description of the action that the State has*  
16                    *undertaken to remove State statutory or regulatory*  
17                    *barriers identified in the applications of local edu-*  
18                    *cational agencies;*

19                    *(C) a description of the goals of the waiver and*  
20                    *the expected programmatic outcomes if the request is*  
21                    *granted;*

22                    *(D) the numbers and types of students to be im-*  
23                    *pacted by such waiver;*

24                    *(E) a timetable for implementing a waiver; and*

1           (F) the process the State will use to monitor, on  
2           a biannual basis, the progress in implementing a  
3           waiver.

4           (3) The Secretary shall act promptly on a waiver re-  
5           quest and state in writing the reasons for granting or deny-  
6           ing such request. If a waiver is granted, the Secretary must  
7           also include the expected outcome of granting such waiver.

8           (4) The Secretary's decision shall be—

9           (A) published in the Federal Register; and

10          (B) disseminated by the State educational agen-  
11          cy to interested parties, including educators, parents,  
12          students, advocacy and civil rights organizations,  
13          other interested parties, and the public.

14          (5) Each such waiver shall be for a period not to exceed  
15          three years. The Secretary may extend such period if the  
16          Secretary determines that the waiver has been effective in  
17          enabling the State or affected local educational agencies to  
18          carry out reform plans.

19          (b) INCLUDED PROGRAMS.—The statutes subject to the  
20          waiver authority of this section are as follows:

21               (1) Chapter 1 of title I of the Elementary and  
22               Secondary Education Act of 1965.

23               (2) Part A of chapter 2 of title I of the Elemen-  
24               tary and Secondary Education Act of 1965.

1           (3) *The Dwight D. Eisenhower Mathematics and*  
2           *Science Education Act (part A of title II of the Ele-*  
3           *mentary and Secondary Education Act of 1965).*

4           (4) *The Emergency Immigrant Education Act of*  
5           *1984 (part D of title IV of the Elementary and Sec-*  
6           *ondary Education Act of 1965).*

7           (5) *The Drug-Free Schools and Communities Act*  
8           *of 1986 (title V of the Elementary and Secondary*  
9           *Education Act of 1965).*

10          (6) *The Carl D. Perkins Vocational and Applied*  
11          *Technology Education Act.*

12          (c) *WAIVERS NOT AUTHORIZED.—The Secretary may*  
13          *not waive any statutory or regulatory requirement of the*  
14          *programs listed in subsection (b) relating to—*

15               (1) *maintenance of effort;*

16               (2) *comparability of services;*

17               (3) *the equitable participation of students and*  
18               *professional staff in private schools;*

19               (4) *parental participation and involvement; or*

20               (5) *the distribution of funds to State or to local*  
21               *educational agencies.*

22          (d) *TERMINATION OF WAIVERS.—The Secretary shall*  
23          *periodically review the performance of any State, local edu-*  
24          *cational agency, or school for which the Secretary has*  
25          *granted a waiver and shall terminate the waiver if the per-*

1 *formance of the State, the local educational agency, or the*  
 2 *school in the area affected by the waiver has been inad-*  
 3 *equated to justify a continuation of the waiver.*

4 ***SEC. 162. PROGRESS REPORTS.***

5 *(a) STATE REPORTS TO THE SECRETARY.—Each*  
 6 *State educational agency that receives funds under this title*  
 7 *shall annually report to the Secretary regarding—*

8 *(1) progress in meeting State goals and plans;*

9 *(2) proposed State activities for the succeeding*  
 10 *year; and*

11 *(3) in summary form, the progress of local edu-*  
 12 *cational agencies in meeting local goals and plans*  
 13 *and increasing student learning.*

14 *(b) SECRETARY'S REPORTS TO CONGRESS.—By April*  
 15 *30, 1996, and every two years thereafter, the Secretary shall*  
 16 *submit a report to the Committee on Education and Labor*  
 17 *of the House of Representatives and the Committee on*  
 18 *Labor and Human Resources of the Senate describing the*  
 19 *activities and outcomes of grants under—*

20 *(1) section 140 of this Act, including—*

21 *(A) a description of the purpose, uses, and*  
 22 *technical merit of assessments evaluated with*  
 23 *funds under such section; and*

24 *(B) an analysis of the impact of such as-*  
 25 *sessments on the performance of all students,*

1        *particularly students of different racial, gender,*  
2        *ethnic, language groups, or individuals with dis-*  
3        *abilities; and*

4        *(2) this title, including a description of the effect*  
5        *of waivers granted under section 151.*

6        **SEC. 163. NATIONAL LEADERSHIP.**

7        *(a) ACTIVITIES AUTHORIZED.—From funds reserved*  
8        *each year under section 154(a)(2)(A), the Secretary shall,*  
9        *through the Office of Educational Research and Improve-*  
10       *ment in accordance with the provisions of sections 405 and*  
11       *406 of the General Education Provisions Act, directly or*  
12       *through grants or contracts—*

13       *(1) provide technical assistance to States and*  
14       *local educational agencies developing or implementing*  
15       *school improvement plans, in a manner that ensures*  
16       *that each such State has access to such assistance;*

17       *(2) gather data on, conduct research on, and*  
18       *evaluate systemic education improvement, including*  
19       *the programs authorized by this title;*

20       *(3) disseminate research findings and other in-*  
21       *formation on systemic education improvement and*  
22       *how it affects student learning;*

23       *(4) provide grants to tribal divisions of edu-*  
24       *cation for coordination efforts between school reform*  
25       *plans developed for schools funded by the Bureau of*

1        *Indian Affairs and public schools described in section*  
2        *156(g)(5), including tribal activities in support of*  
3        *plans; and*

4                *(5) support national demonstration projects that*  
5        *unite local and State educational agencies, institu-*  
6        *tions of higher education, government, business, and*  
7        *labor in collaborative arrangements in order to make*  
8        *educational improvements systemwide.*

9        *(b) RESERVATION OF FUNDS.—(1) The Secretary shall*  
10       *use at least 50 percent of the funds reserved each year under*  
11       *section 154(a)(2)(A) to make grants, consistent with the*  
12       *provisions of section 159(a) that the Secretary finds appro-*  
13       *priate, and provide technical and other assistance to urban*  
14       *and rural local educational agencies with large numbers or*  
15       *concentrations of students who are economically disadvan-*  
16       *tagged or who have limited English proficiency, to assist*  
17       *such agencies in developing and implementing local school*  
18       *improvement plans.*

19                *(2) The Secretary shall use not less than \$1,000,000*  
20       *of the funds reserved the first year under section*  
21       *154(a)(2)(A) to survey coordinated services programs that*  
22       *have been found to be successful in helping students and*  
23       *families and improving student outcomes, and shall dis-*  
24       *seminate information about such programs to schools that*  
25       *plan to develop coordinated services programs.*

1 **SEC. 164. ASSISTANCE TO THE OUTLYING AREAS AND TO**  
2 **THE SECRETARY OF THE INTERIOR.**

3 (a) *OUTLYING AREAS.*—(1) *Funds reserved for outly-*  
4 *ing areas under section 154(a)(1)(A) shall be distributed*  
5 *among such areas by the Secretary according to relative*  
6 *need.*

7 (2) *The provisions of Public Law 95–134, permitting*  
8 *the consolidation of grants to the insular areas, shall not*  
9 *apply to funds received by such areas under this title.*

10 (b) *SECRETARY OF THE INTERIOR.*—

11 (1) *IN GENERAL.*—*The funds reserved to the Sec-*  
12 *retary of the Interior under section 154 shall be made*  
13 *in a payment which shall be pursuant to an agree-*  
14 *ment between the Secretary and the Secretary of the*  
15 *Interior containing such assurances and terms as the*  
16 *Secretary determines shall best achieve the provisions*  
17 *of this section and this Act. The agreement shall, at*  
18 *a minimum, contain assurances that—*

19 (A) *a panel, as set forth in paragraph (4)*  
20 *of this subsection, shall be established;*

21 (B) *a reform and improvement plan, de-*  
22 *signed to increase student learning and assist*  
23 *students in meeting the National Education*  
24 *Goals, meeting the requirements pertaining to*  
25 *State improvement plans required in section 156*  
26 *and providing for the fundamental restructuring*

1       *and improvement of elementary and secondary*  
2       *education in schools funded by the Bureau, shall*  
3       *be developed by such panel; and*

4               *(C) the provisions and activities required*  
5       *under State improvement plans, including the*  
6       *requirements for timetables for opportunity-to-*  
7       *learn standards, shall be carried out in the same*  
8       *time frames and under the same conditions stip-*  
9       *ulated for the States in sections 155 and 156,*  
10       *provided that for these purposes, the term “local*  
11       *educational agencies” shall be interpreted to*  
12       *mean “schools funded by the Bureau”.*

13       *(2) VOLUNTARY SUBMISSION.—The provisions*  
14       *applicable to the States in section 123 of this Act*  
15       *shall apply to the Bureau plan with regard to vol-*  
16       *untary submission of standards and assessment sys-*  
17       *tems to the National Education Standards and*  
18       *Improvement Council for review and certification.*

19       *(3) PLAN SPECIFICS.—The reform and improve-*  
20       *ment plan shall include, in addition to the require-*  
21       *ments referenced above, specific provisions for—*

22               *(A) opportunity to learn standards pertain-*  
23       *ing to residential programs and transportation*  
24       *costs associated with programs located on or*



1       *near reservations or serving students in off-res-*  
2       *ervation residential boarding schools;*

3               *(B) review and incorporation of the Na-*  
4       *tional Education Goals and the voluntary na-*  
5       *tional content, student performance, and oppor-*  
6       *tunity-to-learn standards developed under part*  
7       *B of title II of this Act, provided that such re-*  
8       *view shall include the issues of cultural and lan-*  
9       *guage differences; and*

10              *(C) provision for coordination of the efforts*  
11       *of the Bureau with the efforts for school improve-*  
12       *ment of the States and local educational agencies*  
13       *in which the schools funded by the Bureau are*  
14       *located, to include, but not be limited to, the de-*  
15       *velopment of the partnerships outlined in section*  
16       *156(g)(5) of the Act.*

17              *(4) PANEL.—To carry out the provisions of this*  
18       *section, and to develop the plan for system-wide re-*  
19       *form and improvement required under the agreement*  
20       *required under paragraph (1), the Secretary of the*  
21       *Interior shall establish a panel coordinated by the As-*  
22       *stant Secretary of the Interior for Indian Affairs.*  
23       *Such panel shall consist of—*

24              *(A) the Director of the Office of Indian*  
25       *Education Programs of the Bureau of Indian Af-*

1       *fairs and two heads of other divisions of such*  
2       *Bureau as the Assistant Secretary shall des-*  
3       *ignate;*

4               *(B) a designee of the Secretary of Edu-*  
5       *cation; and*

6               *(C) a representative nominated by each of*  
7       *the following:*

8                   *(i) The organization representing the*  
9               *majority of teachers and professional per-*  
10       *sonnel in schools operated by the Bureau.*

11                  *(ii) The organization representing the*  
12       *majority of nonteaching personnel in*  
13       *schools operated by the Bureau, if not the*  
14       *same organization as in clause (i).*

15                  *(iii) School administrators of schools*  
16       *operated by the Bureau.*

17                  *(iv) Education line officers located in*  
18       *Bureau area or agency offices serving*  
19       *schools funded by the Bureau.*

20                  *(v) The organization representing the*  
21       *majority of contract or grant schools funded*  
22       *by the Bureau not serving students on the*  
23       *Navajo reservation.*

24                  *(vi) The organization representing the*  
25       *majority of contract or grant schools funded*

1           *by the Bureau serving students on the Nav-*  
2           *ajo reservation.*

3           *(vii) The organization representing the*  
4           *school boards required by statute for schools*  
5           *operated by the Bureau not serving students*  
6           *on the Navajo reservation.*

7           *(viii) The organization representing*  
8           *the school boards required by statute for*  
9           *schools funded by the Bureau serving stu-*  
10          *dents on the Navajo reservation.*

11       *Including the additional members required by para-*  
12       *graph (5), a majority of the members of such panel*  
13       *shall be from the entities designated under subpara-*  
14       *graph (C).*

15       *(5) ADDITIONAL MEMBERS.—In addition, the*  
16       *members of the panel stipulated above shall designate*  
17       *for full membership four additional members—*

18           *(A) one of whom shall be a representative of*  
19           *a national organization which represents pri-*  
20           *marily national Indian education concerns; and*

21           *(B) three of whom shall be chairpersons (or*  
22           *their designees) of Indian tribes with schools*  
23           *funded by the Bureau on their reservations*  
24           *(other than those specifically represented by or-*  
25           *ganizations referred to in paragraph (4)), pro-*

1        *vided that preference for no less than two of these*  
2        *members shall be given to Indian tribes with a*  
3        *significant number of schools funded by the Bu-*  
4        *reau on their reservations, or with a significant*  
5        *percentage of their children enrolled in schools*  
6        *funded by the Bureau.*

7        *(c) BIA COST ANALYSIS.—*

8            *(1) IN GENERAL.—(A) The Secretary of the Inte-*  
9        *rior shall reserve from the first allotment made to the*  
10       *Department of the Interior pursuant to section 154*  
11       *an amount not to exceed \$500,000 to provide, through*  
12       *the National Academy of Sciences, for an analysis of*  
13       *the costs associated with meeting the academic and*  
14       *home-living/residential standards of the Bureau of In-*  
15       *dian Affairs for each school funded by such Bureau.*  
16       *The purpose of such analysis shall be to provide the*  
17       *Bureau and the Panel with baseline data regarding*  
18       *the current state of operations funded by the Bureau*  
19       *and to provide a framework for addressing the imple-*  
20       *mentation of opportunity-to-learn standards.*

21            *(B) The results of such analysis shall be re-*  
22       *ported, in aggregate and school specific form, to the*  
23       *chairpersons and ranking minority members of the*  
24       *Committees on Education and Labor and Appropria-*  
25       *tions of the House of Representatives and the Select*

1       *Committee on Indian Affairs and the Committee on*  
2       *Appropriations of the Senate, and to the Secretary of*  
3       *the Interior, the Secretary of Education (who shall*  
4       *transmit the report to the proper entities under this*  
5       *Act), and the Assistant Secretary of the Interior for*  
6       *Indian Affairs, not later than 6 months after the date*  
7       *of enactment of this Act.*

8               (2) *CONTENT.*—*Such analysis shall evaluate the*  
9       *costs of providing a program in each school for the*  
10       *next succeeding academic year and shall be based*  
11       *on—*

12               (A) *the standards either published in the*  
13       *Federal Register as having effect in schools oper-*  
14       *ated by the Bureau on the date of enactment of*  
15       *this Act or the standards incorporated into each*  
16       *grant or contract in effect on such date with a*  
17       *tribally controlled school funded under section*  
18       *1128 of Public Law 95–561 (as amended);*

19               (B) *the best projections of student counts*  
20       *and demographics, as provided by the Bureau*  
21       *and as independently reviewed by the Academy;*  
22       *and*

23               (C) *the pay and benefit schedules and other*  
24       *personnel requirements for each school operated*

1           *by the Bureau, as existing on the date of enact-*  
2           *ment.*

3           *(d) SECRETARY OF DEFENSE.—The Secretary shall*  
4           *consult with the Secretary of Defense to ensure that, to the*  
5           *extent practicable, the purposes of this title are applied to*  
6           *the Department of Defense schools.*

7           **PART D—NATIONAL SKILL STANDARDS BOARD**

8           **SEC. 171. PURPOSE.**

9           *It is the purpose of this title to establish a National*  
10          *Board to serve as a catalyst in stimulating the development*  
11          *and adoption of a voluntary national system of skill stand-*  
12          *ards and certification that will serve as a cornerstone of*  
13          *the national strategy to enhance workforce skills, and that*  
14          *can be used, consistent with Federal civil rights laws—*

15                *(1) by the Nation, to ensure the development of*  
16                *a high skills, high quality, high performance*  
17                *workforce, including the most skilled front-line*  
18                *workforce in the world, and that will result in in-*  
19                *creased productivity, economic growth and American*  
20                *economic competitiveness;*

21                *(2) by industries, as a vehicle for informing*  
22                *training providers and prospective employees of skills*  
23                *necessary for employment;*

1           (3) by employers, to assist in evaluating the skill  
2           levels of prospective employees and to assist in the  
3           training of current employees;

4           (4) by labor organizations, to enhance the em-  
5           ployment security of workers by providing portable  
6           credentials and skills;

7           (5) by workers, to obtain certifications of their  
8           skills to protect against dislocation, to pursue career  
9           advancement, and to enhance their ability to reenter  
10          the workforce;

11          (6) by students and entry level workers, to deter-  
12          mine the skill levels and competencies needed to be ob-  
13          tained in order to compete effectively for high wage  
14          jobs;

15          (7) by training providers and educators, to de-  
16          termine appropriate training services to offer;

17          (8) by Government, to evaluate whether publicly-  
18          funded training assists participants to meet skill  
19          standards where they exist and thereby protect the in-  
20          tegrity of public expenditures;

21          (9) to facilitate the transition to high perform-  
22          ance work organizations;

23          (10) to increase opportunities for minorities and  
24          women, including removing barriers to the entry of  
25          women in non-traditional employment; and

1           (11) to facilitate linkages between other compo-  
2           nents of the workforce investment strategy, including  
3           school-to-work transition, secondary and postsecond-  
4           ary vocational-technical education, and job training  
5           programs.

6   **SEC. 172. ESTABLISHMENT OF NATIONAL BOARD.**

7           (a) *IN GENERAL.*—There is established a National  
8           Skill Standards Board (in this title referred to as the  
9           “National Board”).

10          (b) *COMPOSITION.*—

11               (1) *IN GENERAL.*—The National Board shall be  
12               composed of 28 members, appointed in accordance  
13               with paragraph (3), of whom—

14                       (A) one member shall be the Secretary of  
15                       Labor;

16                       (B) one member shall be the Secretary of  
17                       Education;

18                       (C) one member shall be the Secretary of  
19                       Commerce;

20                       (D) one member shall be the Chairperson of  
21                       the National Education Standards and Improve-  
22                       ment Council established pursuant to section  
23                       122(a);

24                       (E) eight members shall be representatives  
25                       of small and large business and industry selected



1       *from among individuals recommended by recog-*  
2       *nized national business organizations and trade*  
3       *associations;*

4               *(F) eight members shall be representatives of*  
5       *organized labor selected from among individuals*  
6       *recommended by recognized national labor fed-*  
7       *erations; and*

8               *(G) eight members shall be representatives*  
9       *from the following groups, with at least one*  
10       *member from each group:*

11               *(i) Educational institutions.*

12               *(ii) Community-based organizations.*

13               *(iii) State and local governments.*

14               *(iv) Nongovernmental organizations*  
15       *with a demonstrated history of successfully*  
16       *protecting the rights of racial, ethnic and*  
17       *religious minorities, women, persons with*  
18       *disabilities or older persons.*

19       *(2) DIVERSITY REQUIREMENTS.—The members*  
20       *described in subparagraph (G) of paragraph (1) shall*  
21       *have expertise in the area of education and training.*  
22       *The members described in subparagraphs (E), (F),*  
23       *and (G) of paragraph (1) shall—*

24               *(A) in the aggregate, represent a broad*  
25       *cross-section of occupations and industries; and*

1           (B) to the extent feasible, be geographically  
2           representative of the United States and reflect  
3           the racial, ethnic and gender diversity of the  
4           United States.

5           (3) APPOINTMENT.—The membership of the Na-  
6           tional Board shall be appointed as follows:

7           (A) Twelve members (four from each class of  
8           members described in subparagraphs (E), (F),  
9           and (G) of paragraph (1)) shall be appointed by  
10          the President.

11          (B) Six members (two from each class of  
12          members described in subparagraphs (E), (F),  
13          and (G) of paragraph (1)) shall be appointed by  
14          the Speaker of the House of Representatives, of  
15          whom three members (one from each class of  
16          members described in subparagraphs (E), (F),  
17          and (G) of paragraph (1)) shall be selected from  
18          recommendations made by the Majority Leader  
19          of the House of Representatives and three mem-  
20          bers (one from each class of members described in  
21          subparagraphs (E), (F), and (G) of paragraph  
22          (1)) shall be selected from recommendations  
23          made by the Minority Leader of the House of  
24          Representatives.

1           (C) Six members (two from each class of  
2           members described in subparagraphs (E), (F),  
3           and (G) of paragraph (1)) shall be appointed by  
4           the President pro tempore of the Senate, of whom  
5           three members (one from each class of members  
6           described in subparagraphs (E), (F), and (G) of  
7           paragraph (1)) shall be selected from rec-  
8           ommendations made by the Majority Leader of  
9           the Senate and three members (one from each  
10          class of members described in subparagraphs (E),  
11          (F), and (G) of paragraph (1)) shall be selected  
12          from recommendations made by the Minority  
13          Leader of the Senate.

14          (4) *TERM.*—Each member of the National Board  
15          appointed under subparagraphs (E), (F), and (G) of  
16          paragraph (1) shall be appointed for a term of 4  
17          years, except that of the initial members of the Board  
18          appointed under such paragraph—

19                (A) twelve members shall be appointed for a  
20                term of 3 years (four from each class of members  
21                described in subparagraphs (E), (F), and (G) of  
22                paragraph (1)), of whom—

23                   (i) two from each class shall be ap-  
24                   pointed in accordance with paragraph  
25                   (3)(A);

1           (ii) one from each such class shall be  
2           appointed in accordance with paragraph  
3           (3)(B); and

4           (iii) one from each such class shall be  
5           appointed in accordance with paragraph  
6           (3)(C); and

7           (B) twelve members shall be appointed for  
8           a term of 4 years (four from each class of mem-  
9           bers described in subparagraphs (E), (F), and  
10          (G) of paragraph (1)), of whom—

11          (i) two from each such class shall be  
12          appointed in accordance with paragraph  
13          (3)(A);

14          (ii) one from each such class shall be  
15          appointed in accordance with paragraph  
16          (3)(B); and

17          (iii) one from each such class shall be  
18          appointed in accordance with paragraph  
19          (3)(C).

20       (c) CHAIRPERSON AND VICE CHAIRPERSONS.—

21           (1) CHAIRPERSON.—The National Board shall  
22           biennially elect a Chairperson from among the mem-  
23           bers of the National Board by a majority vote of such  
24           members.

1           (2) *VICE CHAIRPERSONS.*—*The National Board*  
2           *shall annually elect 3 Vice Chairpersons (each rep-*  
3           *resenting a different class of the classes of members*  
4           *described in subparagraphs (E), (F), and (G) of sub-*  
5           *section (b)(1)) from among its members appointed*  
6           *under subsection (b)(3) by a majority vote of such*  
7           *members, each of whom shall serve for a term of 1*  
8           *year.*

9           (d) *COMPENSATION AND EXPENSES.*—

10           (1) *COMPENSATION.*—*Members of the National*  
11           *Board who are not regular full-time employees or offi-*  
12           *cers of the Federal Government shall serve without*  
13           *compensation.*

14           (2) *EXPENSES.*—*The members of the National*  
15           *Board shall receive travel expenses, including per*  
16           *diem in lieu of subsistence, in accordance with sub-*  
17           *chapter I of chapter 57, title 5, United States Code,*  
18           *while away from their homes or regular places of*  
19           *business in the performance of services for the Na-*  
20           *tional Board.*

21           (e) *EXECUTIVE DIRECTOR AND STAFF.*—*The Chair-*  
22           *person of the National Board shall appoint an Executive*  
23           *Director, who shall be compensated at a rate determined*  
24           *by the National Board that shall not exceed the rate of pay*  
25           *for level V of the Executive Schedule under section 5316*

1 *of title 5, United States Code, and who shall appoint such*  
2 *staff as is necessary in accordance with title 5, United*  
3 *States Code. Such staff shall include at least one individual*  
4 *with expertise in measurement and assessment.*

5 *(f) AGENCY SUPPORT.—*

6 *(1) USE OF FACILITIES.—The National Board*  
7 *may use the research, equipment, services and facili-*  
8 *ties of any agency or instrumentality of the United*  
9 *States with the consent of such agency or instrumen-*  
10 *talidity.*

11 *(2) STAFF OF FEDERAL AGENCIES.—Upon the*  
12 *request of the National Board, the head of any de-*  
13 *partment or agency of the United States may detail*  
14 *to the National Board, on a reimbursable basis, any*  
15 *of the personnel of such department or agency to as-*  
16 *sist the National Board in carrying out this title.*

17 *(g) CONFLICT OF INTEREST.—An individual who has*  
18 *served as a member of the National Board may not have*  
19 *any financial interest in an assessment and certification*  
20 *system developed or endorsed under this title for a period*  
21 *of three years after the termination of service of such indi-*  
22 *vidual from the National Board.*

23 **SEC. 173. FUNCTIONS OF THE NATIONAL BOARD.**

24 *(a) IDENTIFICATION OF OCCUPATIONAL CLUSTERS.—*

1           (1) *IN GENERAL.*—Subject to paragraph (2), the  
2       National Board, after extensive public review and  
3       comment and study of the national labor market,  
4       shall identify broad clusters of major occupations that  
5       involve one or more than one industry in the United  
6       States.

7           (2) *PROCEDURES FOR IDENTIFICATION.*—Prior  
8       to identifying broad clusters of major occupations  
9       under paragraph (1), the National Board shall—

10           (A) develop procedures for the identification  
11       of such clusters;

12           (B) publish such procedures in the Federal  
13       Register; and

14           (C) allow for extensive public review of and  
15       comment on such procedures.

16       (b) *VOLUNTARY PARTNERSHIPS TO DEVELOP STAND-*  
17 *ARDS.*—

18           (1) *IN GENERAL.*—For each of the occupational  
19       clusters identified pursuant to subsection (a), the Na-  
20       tional Board shall encourage and facilitate the estab-  
21       lishment of voluntary partnerships to develop a skill  
22       standards system in accordance with subsection (d).

23           (2) *REPRESENTATIVES.*—Such voluntary part-  
24       nerships shall include the full and balanced partici-  
25       pation of—

1           (A) representatives of business and industry  
2           who have expertise in the area of workforce skill  
3           requirements, including representatives of large  
4           and small employers, recommended by national  
5           business organizations and trade associations  
6           representing employers in the occupation or in-  
7           dustry for which a standard is being developed,  
8           and representatives of trade associations that  
9           have received demonstration grants from the De-  
10          partment of Labor or the Department of Edu-  
11          cation to establish skill standards prior to the  
12          enactment of this title;

13          (B) employee representatives who have ex-  
14          pertise in the area of workforce skill require-  
15          ments and who shall be—

16               (i) individuals recommended by recog-  
17               nized national labor organizations rep-  
18               resenting employees in the occupation or in-  
19               dustry for which a standard is being devel-  
20               oped; and

21               (ii) such other individuals who are  
22               nonmanagerial employees with significant  
23               experience and tenure in such occupation or  
24               industry as are appropriate given the na-



1 *ture and structure of employment in the oc-*  
2 *cupation or industry;*

3 *(C) representatives of—*

4 *(i) educational institutions;*

5 *(ii) community-based organizations;*

6 *(iii) State and local agencies with ad-*  
7 *ministrative control or direction over edu-*  
8 *cation, vocational-technical education, or*  
9 *employment and training;*

10 *(iv) other policy development organiza-*  
11 *tions with expertise in the area of workforce*  
12 *skill requirements; and*

13 *(v) non-governmental organizations*  
14 *with a demonstrated history of successfully*  
15 *protecting the rights of racial, ethnic, and*  
16 *religious minorities, women, individuals*  
17 *with disabilities, and older persons; and*

18 *(D) individuals with expertise in measure-*  
19 *ment and assessment, including relevant experi-*  
20 *ence in designing unbiased assessments and per-*  
21 *formance-based assessments.*

22 *(3) EXPERTS.—The partnerships described in*  
23 *paragraph (1) may also include such other individ-*  
24 *uals who are independent, qualified experts in their*  
25 *fields.*

1       (c) *RESEARCH, DISSEMINATION, AND COORDINA-*  
2 *TION.*—*In order to support the development of a skill stand-*  
3 *ards system in accordance with subsection (d), the National*  
4 *Board shall—*

5           (1) *conduct workforce research relating to skill*  
6 *standards (including research relating to how to use*  
7 *skill standards in compliance with civil rights laws)*  
8 *and make such research available to the public, in-*  
9 *cluding the partnerships described in subsection (b);*

10          (2) *identify and maintain a catalog of skill*  
11 *standards used by other countries and by States and*  
12 *leading firms and industries in the United States;*

13          (3) *serve as a clearinghouse to facilitate the shar-*  
14 *ing of information on the development of skill stand-*  
15 *ards and other relevant information among represent-*  
16 *atives of occupations and industries identified pursu-*  
17 *ant to subsection (a), the voluntary partnerships rec-*  
18 *ognized pursuant to subsection (b), and among edu-*  
19 *cation and training providers through such mecha-*  
20 *nisms as the Capacity Building and Information and*  
21 *Dissemination Network established under section*  
22 *453(b) of the Job Training Partnership Act;*

23          (4) *develop a common nomenclature relating to*  
24 *skill standards;*

1           (5) encourage the development and adoption of  
2           curricula and training materials for attaining the  
3           skill standards developed pursuant to subsection (d)  
4           that include structured work experiences and related  
5           study programs leading to progressive levels of profes-  
6           sional and technical certification and postsecondary  
7           education;

8           (6) provide appropriate technical assistance; and

9           (7) facilitate coordination among voluntary  
10          partnerships that meet the requirements of subsection  
11          (b) to promote the development of a coherent national  
12          system of voluntary skill standards.

13       (d) *ENDORSEMENT OF SKILL STANDARDS SYSTEMS.*—

14           (1) *DEVELOPMENT OF ENDORSEMENT CRI-*  
15       *TERIA.*—

16           (A) *IN GENERAL.*—The National Board,  
17       after extensive public consultation, shall develop  
18       objective criteria for endorsing skills standards  
19       systems relating to the occupational clusters  
20       identified pursuant to subsection (a). Such cri-  
21       teria shall, at a minimum, include the compo-  
22       nents of a skill standards system described in  
23       subparagraph (B). The endorsement criteria  
24       shall be published in the Federal Register, and  
25       updated as appropriate.

1           (B) *COMPONENTS OF SYSTEM.*—*The compo-*  
2           *nents of a skill standards systems shall include*  
3           *the following:*

4                   (i) *Voluntary skill standards, which at*  
5                   *a minimum—*

6                           (I) *meet or exceed, to the extent*  
7                           *practicable, the highest standards used*  
8                           *in other countries and the highest*  
9                           *international standards;*

10                           (II) *meet or exceed the highest ap-*  
11                           *plicable standards used in the United*  
12                           *States, including apprenticeship stand-*  
13                           *ards registered under the National Ap-*  
14                           *prenticeship Act;*

15                           (III) *take into account content*  
16                           *and performance standards certified*  
17                           *pursuant to title II;*

18                           (IV) *take into account the require-*  
19                           *ments of high performance work orga-*  
20                           *nizations;*

21                           (V) *are in a form that allows for*  
22                           *regular updating to take into account*  
23                           *advances in technology or other devel-*  
24                           *opments within the occupational clus-*  
25                           *ter;*

1           (VI) are formulated in such a  
2 manner that promotes the portability  
3 of credentials and facilitates worker  
4 mobility within an occupational cluster or industry and among industries;  
5 and  
6

7           (VII) are not discriminatory with  
8 respect to race, color, gender, age, religion, ethnicity, disability, or national  
9 origin, consistent with Federal civil  
10 rights laws.  
11

12           (ii) A voluntary assessment system and  
13 certification of the attainment of skill  
14 standards developed pursuant to subparagraph (A), which at a minimum—  
15

16           (I) takes into account, to the extent practicable, methods of assessment  
17 and certification used in other countries;  
18  
19

20           (II) utilizes a variety of evaluation techniques, including, where appropriate, oral and written evaluations, portfolio assessments and performance tests; and  
21  
22  
23  
24

1                   (III) includes methods for estab-  
2                   lishing that the assessment and certifi-  
3                   cation system is not discriminatory  
4                   with respect to race, color, gender, age,  
5                   religion, ethnicity, disability, or na-  
6                   tional origin, consistent with Federal  
7                   civil rights laws.

8                   (iii) A system to promote the use of  
9                   and to disseminate information relating to  
10                  skill standards, and assessment and certifi-  
11                  cation systems developed pursuant to this  
12                  paragraph (including dissemination of in-  
13                  formation relating to civil rights laws rel-  
14                  evant to the use of such standards and sys-  
15                  tems) to entities such as institutions of post-  
16                  secondary education offering professional  
17                  and technical education, labor organiza-  
18                  tions, trade associations, employers provid-  
19                  ing formalized training and other organiza-  
20                  tions likely to benefit from such systems.

21                  (iv) A system to evaluate the imple-  
22                  mentation of the skill standards, and assess-  
23                  ment and certification systems developed  
24                  pursuant to this paragraph, and the effec-  
25                  tiveness of the information disseminated

1           pursuant to subparagraph (C) for inform-  
2           ing the users of such standards and systems  
3           of the requirements of relevant civil rights  
4           laws.

5           (v) A system to periodically revise and  
6           update the skill standards, and assessment  
7           and certification systems developed pursu-  
8           ant to this paragraph, which will take into  
9           account changes in standards in other coun-  
10          tries.

11          (2) *ENDORSEMENT.*—The National Board, after  
12          extensive public review and comment, shall endorse  
13          those skill standards systems relating to the occupa-  
14          tional clusters identified pursuant to subsection (a)  
15          that—

16                (A) meet the objective endorsement criteria  
17                that are developed pursuant to paragraph (1);  
18                and

19                (B) are submitted by partnerships that meet  
20                the representation requirements of subsection  
21                (b)(2).

22          (e) *RELATIONSHIP WITH ANTIDISCRIMINATION*  
23          *LAWS.*—

24                (1) *IN GENERAL.*—Nothing in this title shall be  
25                construed to modify or affect any Federal or State

1     *law prohibiting discrimination on the basis of race,*  
2     *religion, color, ethnicity, national origin, gender, age,*  
3     *or disability.*

4           (2) *EVIDENCE.*—*The endorsement or absence of*  
5     *an endorsement by the Board of a skill standard or*  
6     *assessment and certification system under subsection*  
7     *(d) shall not be used in any action or proceeding to*  
8     *establish that the skill standard or assessment and*  
9     *certification system conforms or does not conform to*  
10    *the requirements of civil rights laws.*

11          (f) *COORDINATION WITH EDUCATION STANDARDS.*—  
12    *The National Board shall establish cooperative arrange-*  
13    *ments with the National Education Standards and Im-*  
14    *provement Council to promote the coordination of the devel-*  
15    *opment of skill standards under this title with the develop-*  
16    *ment of content and performance standards under title II.*

17          (g) *FINANCIAL ASSISTANCE.*—

18           (1) *IN GENERAL.*—*From funds appropriated*  
19    *pursuant to section 166(a), the Secretary of Labor*  
20    *may award grants (including grants to the voluntary*  
21    *partnerships in accordance with paragraph (2)) and*  
22    *enter into contracts and cooperative arrangements*  
23    *that are requested by the National Board for the pur-*  
24    *poses of carrying out this title.*



1           (2) *GRANT PROGRAMS FOR VOLUNTARY PART-*  
2       *NERSHIPS.*—

3           (A) *ELIGIBILITY AND APPLICATION.*—Vol-  
4       *untary partnerships that meet the requirements*  
5       *of subsection (b) shall be eligible to apply for a*  
6       *grant under this subsection. Each such voluntary*  
7       *partnership desiring a grant shall submit an ap-*  
8       *plication to the National Board at such time, in*  
9       *such manner, and accompanied by such informa-*  
10      *tion as the National Board may reasonably re-*  
11      *quire.*

12          (B) *REVIEW AND RECOMMENDATION.*—The  
13      *National Board shall review each application*  
14      *submitted pursuant to subparagraph (A) in ac-*  
15      *cordance with the objective criteria published*  
16      *pursuant to subparagraph (C) and shall forward*  
17      *each such application to the Secretary of Labor*  
18      *accompanied by a recommendation for the ap-*  
19      *proval or disapproval of each such application*  
20      *by the Secretary.*

21          (C) *CRITERIA FOR REVIEW.*—Prior to each  
22      *fiscal year, the National Board shall publish ob-*  
23      *jective criteria to be used by the Board in re-*  
24      *viewing applications under subparagraph (B).*

25      (3) *LIMITATION ON THE USE OF FUNDS.*—

1           (A) *IN GENERAL.*—Not more than 20 per-  
 2           cent of the funds appropriated under section  
 3           166(a) for each fiscal year shall be used by the  
 4           National Board for the costs of administration.

5           (B) *COSTS OF ADMINISTRATION DEFINED.*—  
 6           For purposes of this paragraph, the term “costs  
 7           of administration” means costs relating to staff,  
 8           supplies, equipment, space, travel and per diem,  
 9           costs of conducting meetings and conferences,  
 10          and other related costs.

11 **SEC. 174. DEADLINES.**

12          *Not later than December 31, 1996, the National Board*  
 13 *shall—*

14           (1) *identify occupational clusters pursuant to*  
 15           *section 163(a) representing a substantial portion of*  
 16           *the workforce; and*

17           (2) *promote the development of an initial set of*  
 18           *skill standards in accordance with section 163(d) for*  
 19           *such clusters.*

20 **SEC. 175. REPORTS.**

21          *The National Board shall submit to the President and*  
 22          *the Congress in each fiscal year a report on the activities*  
 23          *conducted under this title, including the extent to which*  
 24          *skill standards have been adopted by employers, training*  
 25          *providers, and other entities and the effectiveness of such*

1 *standards in accomplishing the purposes described in sec-*  
2 *tion 161.*

3 **SEC. 176. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) *IN GENERAL.*—There are authorized to be appro-  
5 priated \$15,000,000 for fiscal year 1994 and such sums as  
6 may be necessary for each of the fiscal years 1995 through  
7 1998 to carry out this title.

8 (b) *AVAILABILITY.*—Amounts appropriated pursuant  
9 to subsection (a) shall remain available until expended.

10 **SEC. 177. DEFINITIONS.**

11 *For purposes of this title, the following definitions*  
12 *apply:*

13 (1) *COMMUNITY-BASED ORGANIZATIONS.*—The  
14 term “community-based organizations” means such  
15 organizations as defined in section 4(5) of the Job  
16 Training Partnership Act.

17 (2) *EDUCATIONAL INSTITUTION.*—The term  
18 “educational institution” means a high school, a vo-  
19 cational school, and an institution of higher edu-  
20 cation.

21 (3) *SKILL STANDARD.*—The term “skill stand-  
22 ard” means the level of knowledge and competence re-  
23 quired to successfully perform work-related functions  
24 within an occupational cluster.

**PART E—MISCELLANEOUS****SEC. 181. DEFINITIONS.**

*As used in this Act—*

*(1) the terms “all students” and “all children” mean students or children from a broad range of backgrounds and circumstances, including disadvantaged students, students with diverse racial, ethnic, and cultural backgrounds, American Indians, Alaska Natives, Native Hawaiians, students with disabilities, students with limited-English proficiency, migrant children, school-aged children who have dropped out, migrant children, and academically talented students;*

*(2) the term “assessment system” means measures of student performance which include at least 1 test, and may include other measures of student performance, for a specific purpose and use which are intended to evaluate the progress of all students in the State toward learning the material in State content standards in 1 or more subject areas;*

*(3) the terms “community”, “public”, and “advocacy group” are to be interpreted to include representatives of organizations advocating for the education of American Indian, Alaska Native, and Native Hawaiian children and Indian tribes;*

1           (4) the term “content standards” means broad  
2       descriptions of the knowledge and skills students  
3       should acquire in a particular subject area;

4           (5) the term “Governor” means the chief execu-  
5       tive of the State;

6           (6) the terms “local educational agency” and  
7       “State educational agency” have the meaning given  
8       those terms in section 1471 of the Elementary and  
9       Secondary Education Act of 1965;

10          (7) the term “opportunity-to-learn standards”  
11       means the criteria for, and the basis of, assessing the  
12       sufficiency or quality of the resources, practices, and  
13       conditions necessary at each level of the education  
14       system (schools, local educational agencies, and  
15       States) to provide all students with an opportunity to  
16       learn the material in national or State content stand-  
17       ards;

18          (8) the term “outlying areas” means Guam,  
19       American Samoa, the Virgin Islands, the Common-  
20       wealth of the Northern Mariana Islands, and Palau  
21       (until the effective date of the Compact of Free Asso-  
22       ciation with the Government of Palau);

23          (9) the term “performance standards” means  
24       concrete examples and explicit definitions of what  
25       students have to know and be able to do to dem-

1        *onstrate that they are proficient in the skills and*  
 2        *knowledge framed by content standards;*

3            *(10) the term “related services” has the same*  
 4        *meaning given such term under section 602(17) of the*  
 5        *Individuals with Disabilities Education Act;*

6            *(11) the term “school” means a school that is*  
 7        *under the authority of the State educational agency*  
 8        *and a local educational agency or, for the purpose of*  
 9        *carrying out section 164(b), a school that is operated*  
 10       *or funded by the Bureau of Indian Affairs;*

11           *(12) the term “Secretary”, except where used in*  
 12        *title IV, means the Secretary of Education; and*

13           *(13) except as otherwise provided, the term*  
 14        *“State” means each of the 50 States, the District of*  
 15        *Columbia, the Commonwealth of Puerto Rico, and*  
 16        *each of the outlying areas.*

17    ***SEC. 182. LIMITATIONS.***

18           *(a) ASSESSMENTS.—No funds provided under titles II*  
 19        *or III of this Act shall be used to undertake assessments*  
 20        *that will be used to make decisions regarding the gradua-*  
 21        *tion, grade promotion, or retention of students for five years*  
 22        *after the date of enactment of this Act.*

23           *(b) PUBLIC SCHOOL.—Nothing in this Act shall be*  
 24        *construed to authorize the use of funds under title III (ex-*

1 *cept as provided in section 160) to directly or indirectly*  
 2 *benefit any school other than a public school.*

3 ***SEC. 183. ASSESSMENT OF EDUCATIONAL PROGRESS AC-***  
 4 ***TIVITIES.***

5 *Section 421(h) of the Carl D. Perkins Vocational and*  
 6 *Applied Technology Education Act (20 U.S.C. 2421(h)) is*  
 7 *amended—*

8 *(1) by inserting “(1)” after “(h)”;* and

9 *(2) by inserting at the end the following:*

10 *“(2)(A) Notwithstanding any provision of section 406*  
 11 *of the General Education Provisions Act, the Commissioner*  
 12 *of Education Statistics may authorize a State educational*  
 13 *agency or a consortium of such agencies to use items and*  
 14 *data from the National Assessment of Educational Progress*  
 15 *for the purpose of evaluating a course of study related to*  
 16 *vocational education, if the Commissioner has determined,*  
 17 *in writing, that such use will not—*

18 *“(i) result in the identification of characteristics*  
 19 *or performance of individual students or schools;*

20 *“(ii) result in the ranking or comparing of*  
 21 *schools or local educational agencies;*

22 *“(iii) be used to evaluate the performance of*  
 23 *teachers, principals, or other local educators for the*  
 24 *purpose of dispensing rewards or punishments; or*

1           “(iv) corrupt or harm the use and value of data  
2       collected for the National Assessment of Educational  
3       Progress.

4           “(B) Not later than 60 days after making an author-  
5       ization under subsection (a), the Commissioner shall submit  
6       to the Committee on Education and Labor of the House of  
7       Representatives and to the Committee on Labor and  
8       Human Resources of the Senate, a report which contains—

9           “(i) a copy of the request for such authorization;

10          “(ii) a copy of the written determination under  
11       subsection (a); and

12          “(iii) a description of the details and duration  
13       of such authorization.

14          “(C) The Commissioner may not grant more than one  
15       such authorization in any fiscal year and shall ensure that  
16       the authorized use of items or data from the National As-  
17       sessment is evaluated for technical merit and for its affect  
18       on the National Assessment of Educational Progress. The  
19       results of such evaluations shall be promptly reported to the  
20       committees specified in subparagraph (B).”.

21       **SEC. 184. COMPLIANCE WITH BUY AMERICAN ACT.**

22       No funds appropriated pursuant to this Act may be  
23       expended by an entity unless the entity agrees that in ex-  
24       pending the assistance the entity will comply with sections



1 2 through 4 of the Act of March 3, 1993 (41 U.S.C. 10a–  
2 10c, popularly known as the “Buy American Act”).

3 **SEC. 185. SENSE OF CONGRESS; REQUIREMENT REGARDING**  
4 **NOTICE.**

5 (a) *PURCHASE OF AMERICAN-MADE EQUIPMENT AND*  
6 *PRODUCTS.*—In the case of any equipment or products that  
7 may be authorized to be purchased with financial assistance  
8 provided under this Act, it is the sense of the Congress that  
9 entities receiving such assistance should, in expending the  
10 assistance, purchase only American-made equipment and  
11 products.

12 (b) *NOTICE TO RECIPIENTS OF ASSISTANCE.*—In pro-  
13 viding financial assistance under this Act, the head of each  
14 Federal agency shall provide to each recipient of the assist-  
15 ance a notice describing the statement made in subsection  
16 (a) by the Congress.

17 **SEC. 186. PROHIBITION OF CONTRACTS.**

18 If it has been finally determined by a court or Federal  
19 agency that any person intentionally affixed a label bearing  
20 a “Made in America” inscription, or any inscription with  
21 the same meaning to any product sold in or shipped to the  
22 United States that is not made in the United States, such  
23 person shall be ineligible to receive any contract or sub-  
24 contract made with funds provided pursuant to this Act,  
25 pursuant to the debarment, suspension, and ineligibility

1 *procedures described in section 9.400 through 9.409 of title*  
2 *48, Code of Federal Regulations.*

3       **PART F—PARENTAL INFORMATION AND**  
4                   **RESOURCES**

5       **SEC. 191. PARENTAL INFORMATION AND RESOURCES**

6           (a) *AUTHORIZATION.*—*The Secretary of Education is*  
7 *authorized to make grants each year to nonprofit organiza-*  
8 *tions for the purpose of providing training and information*  
9 *to parents of children, aged birth to 5 years, and children*  
10 *enrolled in participating schools and to individuals who*  
11 *work with such parents to encourage a more effective work-*  
12 *ing relationship with professionals in meeting the edu-*  
13 *cational needs of children, aged birth to 5 years, and chil-*  
14 *dren enrolled in participating schools.*

15          (b) *GRANTS.*—*Such grants shall—*

16               (1) *be designed to meet the unique training and*  
17 *information needs of parents of children, aged birth*  
18 *to 5 years, and children enrolled in participating*  
19 *schools, particularly parents who are severely dis-*  
20 *advantaged educationally or economically;*

21               (2) *be distributed geographically to the greatest*  
22 *extent possible throughout all the States and give pri-*  
23 *ority to grants which serve areas with high concentra-*  
24 *tions of low-income families;*

1           (3) be targeted to parents of children, aged birth  
2           to 5 years, and children enrolled in participating  
3           schools in rural, suburban, and urban areas;

4           (4) serve parents of low-income and minority  
5           children, aged birth to 5 years, and children enrolled  
6           in participating schools, including limited-English-  
7           proficient children;

8           (5) be funded at a sufficient size, scope, and  
9           quality to ensure that the program is adequate to  
10          serve the parents in the area; and

11          (6) include funds to establish, expand, and oper-  
12          ate Teachers as Parents programs.

13   **SEC. 192. ELIGIBILITY.**

14          (a) REPRESENTATION.—To receive a grant under sec-  
15          tion 191, a nonprofit organization shall meet the following  
16          requirements:

17               (1) Be governed by a board of directors in which  
18               the membership includes, or be an organization that  
19               represents the interests of, parents and establish a  
20               special advisory committee in which the membership  
21               includes—

22                       (A) parents of children, aged birth to 5  
23                       years, and children enrolled in participating  
24                       schools; and

1           (B) representation of education profes-  
2           sionals with expertise in improving services for  
3           disadvantaged children.

4           (2) Provide that the parent and professional  
5           membership of the board or special advisory commit-  
6           tee is broadly representative of minority, low-income,  
7           and other individuals and groups that have an inter-  
8           est in compensatory education and family literacy.

9           (3) Demonstrate the capacity and expertise to  
10          conduct effective training and information activities  
11          for which a grant may be made.

12          (4) Network with clearinghouses, other organiza-  
13          tions and agencies, and with other established na-  
14          tional, State, and local parent groups representing  
15          the full range of parents of children, aged birth to 5  
16          years, and children enrolled in participating schools,  
17          especially parents of low-income and minority chil-  
18          dren.

19          (b) REQUIREMENTS.—The Board of Directors or spe-  
20          cial governing committee of an organization receiving a  
21          grant under this title shall meet at least once each calendar  
22          quarter to review the parent training and information ac-  
23          tivities for which the grant is made.

24          (c) GRANT RENEWAL.—Whenever an organization re-  
25          quests the renewal of a grant under section 191 for a fiscal

1 year, the Board of Directors or the special advisory commit-  
2 tee shall submit to the Secretary a written review of the  
3 parent training and information program conducted by  
4 such organization during the preceding fiscal year.

5 **SEC. 193. USES OF FUNDS.**

6 Grants received under this title may be used—

7 (1) for parent training and information pro-  
8 grams that assist parents to—

9 (A) better understand their children's edu-  
10 cational needs;

11 (B) provide follow up support for their chil-  
12 dren's educational achievement;

13 (C) communicate more effectively with  
14 teachers, counselors, administrators, and other  
15 professional educators and support staff;

16 (D) participate in the design and provision  
17 of assistance to students who are not making  
18 adequate progress;

19 (E) obtain information about the range of  
20 options, programs, services, and resources avail-  
21 able at the national, State, and local levels to as-  
22 sist parents of children, aged birth to 5 years,  
23 and children enrolled in participating schools  
24 and their parents;

1           (F) seek technical assistance regarding com-  
2           pliance with the requirements of this Act and of  
3           other Federal programs relevant to achieving the  
4           goals of this Act;

5           (G) participate in State and local decision-  
6           making;

7           (H) train other parents; and

8           (I) plan, implement, and fund activities  
9           that coordinate the education of their children  
10          with other Federal programs that serve such chil-  
11          dren or their families;

12          (2) to include State or local educational person-  
13          nel where such participation would further an objec-  
14          tive of the program assisted by the grant; and

15          (3) to establish a parent training and informa-  
16          tion center to carry out the activities in paragraphs  
17          (1) and (2) and to represent parent interests at the  
18          State level, including participation in the design of  
19          the public outreach process described in section  
20          156(b)(6), submitting recommendations concerning  
21          State standards and plans, and commenting on pro-  
22          posed waivers under this Act.

23   **SEC. 194. TECHNICAL ASSISTANCE.**

24          The Secretary shall provide technical assistance, by  
25          grant or contract, for the establishment, development, and

1 *coordination of parent training and information programs*  
2 *and centers.*

3 **SEC. 195. EXPERIMENTAL CENTERS.**

4 *After the establishment in each State of a parent train-*  
5 *ing and information center, the Secretary shall provide for*  
6 *the establishment of 5 additional experimental centers, 3*  
7 *to be located in urban areas and 2 in rural areas where*  
8 *there are large concentrations of poverty.*

9 **SEC. 196. REPORTS.**

10 *Not later than June 30, 1995, and not later than June*  
11 *30 each succeeding year, the Secretary shall obtain data*  
12 *concerning programs and centers assisted under this title,*  
13 *including—*

14 *(1) the number of parents, including the number*  
15 *of minority and limited-English-proficient parents,*  
16 *who receive information and training;*

17 *(2) the types and modes of information or train-*  
18 *ing provided; and*

19 *(3) the strategies used to reach and serve parents*  
20 *of minority and limited-English-proficient children*  
21 *and parents with limited literacy skills.*

22 **SEC. 197. AUTHORIZATION OF APPROPRIATIONS.**

23 *There are authorized to be appropriated \$5,000,000 for*  
24 *fiscal year 1994 and such sums as may be necessary for*  
25 *each of the fiscal years 1995 through 1998.*

1 **TITLE II—EDUCATIONAL RE-**  
2 **SEARCH, DEVELOPMENT, AND**  
3 **DISSEMINATION EXCELLENCE**  
4 **ACT**

5 **SEC. 201. FINDINGS.**

6 *The Congress finds as follows with respect to improv-*  
7 *ing education in the United States:*

8 *(1) A majority of public schools in the United*  
9 *States are failing to adequately prepare their stu-*  
10 *dents. To achieve the national education goals set*  
11 *forth by the President and the governors of the States,*  
12 *an overwhelming campaign for educational improve-*  
13 *ment must be mounted in order to set in motion*  
14 *many strategies and models designed to encourage*  
15 *and support school restructuring. The Federal Gov-*  
16 *ernment must support an extensive program of edu-*  
17 *cational research, development, dissemination, rep-*  
18 *lication and assistance to identify and support the*  
19 *best responses for the challenges ahead. A significant*  
20 *investment in attaining a deeper understanding of the*  
21 *processes of learning and schooling and developing*  
22 *new ideas holds the best hope of making a substantial*  
23 *difference to the lives of every school and student in*  
24 *the United States. The Office of Educational Research*  
25 *and Improvement of the Department of Education*



1       *should be at the center of this campaign in order to*  
2       *coordinate such efforts.*

3               *(2) The Federal role in educational research has*  
4       *been closely identified with youths who are*  
5       *socioeconomically disadvantaged, belong to a language*  
6       *minority, or are disabled. However, in 1988, the Fed-*  
7       *eral commitment to education was sufficient to serve*  
8       *not more than—*

9               *(A) 1 out of every 5 low-income children in*  
10       *need of preschool education;*

11              *(B) 2 out of every 5 children in need of re-*  
12       *mediation;*

13              *(C) 1 out of every 4 children in need of bi-*  
14       *lingual education; and*

15              *(D) 1 out of every 20 youths in need of job*  
16       *training.*

17              *(3) The failure of the Federal Government to*  
18       *adequately invest in educational research and devel-*  
19       *opment has denied the Nation a sound foundation on*  
20       *which to design school improvements, leading to a*  
21       *history of faddism and failed experimentation result-*  
22       *ing in a dearth of research in the area of education-*  
23       *ally at-risk students. This situation is of particular*  
24       *concern because at least half of the public school stu-*  
25       *dents in 25 of the largest cities of the United States*

1       are minority children, and demographers project that,  
2       by 2005, almost all urban public school students will  
3       be minority children or other children in poverty.

4               (4) The investment goal of the Federal research,  
5       development, and dissemination function should be at  
6       least 1 percent of the total amount of funds spent on  
7       education nationally.

8               (5) Nationwide model programs and reliable  
9       interventions should be demonstrated and replicated,  
10      and for such purposes, programs should be established  
11      to conduct research and evaluations, and to dissemi-  
12      nate information.

13              (6) The Office of Educational Research and Im-  
14      provement must develop a national dissemination  
15      policy that will advance the goal of placing a na-  
16      tional treasure chest of research results, models, and  
17      materials at the disposal of the Nation's education  
18      decisionmakers.

19              (7) A National Educational Research Policy and  
20      Priorities Board should be established to ensure that  
21      an educational research and dissemination agenda is  
22      developed and implemented without partisan political  
23      interference.

24              (8) Existing research and development entities  
25      should adopt expanded, proactive roles and new insti-

1        *tutions must be created to promote knowledge develop-*  
2        *ment necessary to accelerate the application of re-*  
3        *search knowledge to high priority areas.*

4            *(9) Greater use should be made of existing tech-*  
5        *nologies in efforts to improve the Nation's educational*  
6        *system, including efforts to disseminate research find-*  
7        *ings.*

8            *(10) Minority educational researchers are inad-*  
9        *equately represented throughout the Department of*  
10       *Education, but particularly in the Office of Edu-*  
11       *cational Research and Improvement. The Office there-*  
12       *fore must assume a leadership position in the recruit-*  
13       *ment, retention, and promotion of qualified minority*  
14       *educational researchers.*

15           *(11) The coordination of the mission of the Office*  
16       *of Educational Research and Improvement with that*  
17       *of other components of the Department of Education*  
18       *is critical. It must improve the coordination of the*  
19       *educational research, development, and dissemination*  
20       *function with those of other Federal agencies.*

1 ***PART A—GENERAL PROVISIONS REGARDING OF-***  
2 ***FICE OF EDUCATIONAL RESEARCH AND IM-***  
3 ***PROVEMENT***

**4 SEC. 211. GENERAL PROVISIONS.**

5        *Section 405 of the General Education Provisions Act*  
6        *(20 U.S.C. 1221e) is amended to read as follows:*

7 “OFFICE OF EDUCATIONAL RESEARCH AND IMPROVEMENT

8       “SEC. 405. (a) DECLARATION OF POLICY REGARDING  
9   EDUCATIONAL OPPORTUNITY.—

“(1) IN GENERAL.—The Congress declares it to be the policy of the United States to provide to every individual an equal opportunity to receive an education of high quality regardless of race, color, religion, sex, age, disability, national origin, or social class. Although the American educational system has pursued this objective, it has not attained the objective. Inequalities of opportunity to receive high quality education remain pronounced. To achieve the goal of quality education requires the continued pursuit of knowledge about education through research, development, improvement activities, data collection, synthesis, technical assistance, and information dissemination. While the direction of American education remains primarily the responsibility of State and local governments, the Federal Government has a clear responsibility to provide leadership in the conduct and

1     *support of scientific inquiry into the educational*  
2     *process.*

3             “(2) *MISSION OF OFFICE.*—

4                 “(A) *The mission of the Office of Edu-*  
5                 *cational Research and Improvement shall be to*  
6                 *provide national leadership in—*

7                     “(i) *expanding fundamental knowledge*  
8                     *and understanding of education;*

9                     “(ii) *promoting excellence and equity*  
10                    *in education; and*

11                    “(iii) *monitoring the state of edu-*  
12                    *cation.*

13                 “(B) *The mission of the Office shall be ac-*  
14                 *complished in collaboration with researchers,*  
15                 *teachers, school administrators, parents, stu-*  
16                 *dents, employers, and policymakers.*

17             “(b) *PURPOSE AND STRUCTURE OF OFFICE.*—

18                 “(1) *IN GENERAL.*—*The Secretary, acting*  
19                 *through the Office of Educational Research and Im-*  
20                 *provement, shall carry out the policies set forth in*  
21                 *subsection (a). In carrying out such policies, the Sec-*  
22                 *retary shall be guided by the priorities established by*  
23                 *the Board of Governors established in section 405A.*

1           “(2) *ADMINISTRATIVE STRUCTURE.*—*The Office*  
2           *shall be administered by the Assistant Secretary and*  
3           *shall include—*

4                   “(A) *the National Educational Research*  
5                   *Policy and Priorities Board established by sec-*  
6                   *tion 405A;*

7                   “(B) *the national research institutes estab-*  
8                   *lished by section 405B;*

9                   “(C) *the national education dissemination*  
10                  *system established by section 405C;*

11                  “(D) *the National Library of Education es-*  
12                  *tablished by section 405D;*

13                  “(E) *the National Center for Education*  
14                  *Statistics established by section 406; and*

15                  “(F) *such other units as the Secretary*  
16                  *deems appropriate to carry out the purposes of*  
17                  *the Office.*

18           “(3) *PRIORITIES IN RESEARCH AND DEVELOP-*  
19           *MENT.*—*The Office shall, in accordance with the pro-*  
20           *visions of this section, seek to improve education in*  
21           *the United States through concentrating the resources*  
22           *of the Office on the following priority research and*  
23           *development needs:*

24                   “(A) *The education of at-risk students.*

1           “(B) *The education and development of*  
2           *young children.*

3           “(C) *Student achievement in elementary*  
4           *and secondary school.*

5           “(D) *Postsecondary education, libraries,*  
6           *and lifelong learning for adults.*

7           “(E) *The improvement of schools through*  
8           *the restructuring and reform of school govern-*  
9           *ance, policymaking, finance and management at*  
10          *the State, local, school building, and classroom*  
11          *level.*

12          “(c) *APPOINTMENT OF EMPLOYEES.—*

13               “(1) *IN GENERAL.—The Assistant Secretary may*  
14               *appoint, for terms not to exceed three years (without*  
15               *regard to the provisions of title 5 of the United States*  
16               *Code governing appointment in the competitive serv-*  
17               *ice) and may compensate (without regard to the pro-*  
18               *visions of chapter 51 and subchapter III of chapter 53*  
19               *of such title relating to classification and General*  
20               *Schedule pay rates) such scientific or technical em-*  
21               *ployees of the Office as the Assistant Secretary consid-*  
22               *ers necessary to accomplish its functions, provided*  
23               *that—*

24               “(A) *at least 60 days prior to the appoint-*  
25               *ment of any such employee, public notice is*

1       *given of the availability of such position and an*  
2       *opportunity is provided for qualified individuals*  
3       *to apply and compete for such position;*

4               “(B) *the rate of basic pay for such employ-*  
5       *ees does not exceed the maximum rate of basic*  
6       *pay payable for positions at GS–15, as deter-*  
7       *mined in accordance with section 5376 of title 5,*  
8       *United States Code;*

9               “(C) *the appointment of such employee is*  
10       *necessary to provide the Office with scientific or*  
11       *technical expertise which could not otherwise be*  
12       *obtained by the Office through the competitive*  
13       *service; and*

14               “(D) *the total number of such employees*  
15       *does not exceed one-fifth of the number of full-*  
16       *time, regular scientific or professional employees*  
17       *of the Office.*

18               “(2) *REAPPOINTMENT OF EMPLOYEES.—The As-*  
19       *stant Secretary may reappoint employees described*  
20       *in paragraph (1) upon presentation of a clear and*  
21       *convincing justification of need, for one additional*  
22       *term not to exceed 3 years. All such employees shall*  
23       *work on activities of the Office and shall not be reas-*  
24       *signed to other duties outside the Office during their*  
25       *term.*



1       “(d) *AUTHORITY TO PUBLISH.*—

2               “(1) *IN GENERAL.*—*The Assistant Secretary is*  
3       *authorized to prepare and publish such information,*  
4       *reports, and documents as may be of value in carry-*  
5       *ing out the purposes of sections 405 through 405D*  
6       *without further clearance or approval by the Sec-*  
7       *retary or any other office of the Department.*

8               “(2) *QUALITY ASSURANCE.*—*In carrying out*  
9       *such authority, the Assistant Secretary shall—*

10              “(A) *establish such procedures as may be*  
11       *necessary to assure that all reports and publica-*  
12       *tions issued by the Office are of the highest qual-*  
13       *ity; and*

14              “(B) *provide other offices of the Department*  
15       *with an opportunity to comment upon any re-*  
16       *port or publication prior to its publication when*  
17       *its contents relate to matters for which such of-*  
18       *fice has responsibility.*

19       “(e) *BIENNIAL REPORT ON ACTIVITIES OF OFFICE.*—  
20       *The Assistant Secretary shall transmit to the President and*  
21       *the Congress by not later than December 30 of every other*  
22       *year a biennial report which shall consist of—*

23              “(1) *a description of the activities carried out by*  
24       *and through each research institute during the fiscal*  
25       *years for which such report is prepared and any rec-*

1       ommendations and comments regarding such activi-  
2       ties as the Assistant Secretary considers appropriate;

3           “(2) a description of the activities carried out by  
4       and through the national education dissemination  
5       system established by section 405C during the fiscal  
6       years for which such report is prepared and any rec-  
7       ommendations and comments regarding such activi-  
8       ties as the Assistant Secretary considers appropriate;

9           “(3) such written comments and recommenda-  
10      tions as may be submitted by the Board concerning  
11      the activities carried out by and through each of the  
12      institutes and the national education dissemination  
13      system during the fiscal years for which such report  
14      is prepared and how such activities relate to the Re-  
15      search Policies and Priorities Plan developed by the  
16      Board;

17          “(4) a description of the coordination activites  
18      undertaken pursuant to section 405(f) during the fis-  
19      cal years for which such report is prepared;

20          “(5) recommendations for legislative and admin-  
21      istrative changes necessary to improve the coordina-  
22      tion of all educational research, development, and dis-  
23      semination activities carried out within the Federal  
24      Government, particularly within the priority research

1       *and development needs identified in section 405(b)(3);*  
2       *and*

3               “(6) *such additional comments, recommenda-*  
4       *tions, and materials as the Assistant Secretary con-*  
5       *siders appropriate.*

6       “(f) *COORDINATION.—With the advice and assistance*  
7       *of the Board, the Assistant Secretary shall establish and*  
8       *maintain an ongoing program of activities designed to im-*  
9       *prove the coordination of education research, development,*  
10       *and dissemination and activities within the Department*  
11       *and within the Federal Government, particularly within*  
12       *the priority research and development needs identified in*  
13       *section 405(b)(3), in order to—*

14               “(1) *minimize duplication in education research,*  
15       *development, and dissemination carried out by the*  
16       *Federal Government;*

17               “(2) *maximize the value of the total Federal in-*  
18       *vestment in education research, development, and dis-*  
19       *semination; and*

20               “(3) *enable all entities engaged in education re-*  
21       *search, development, and dissemination within the*  
22       *Federal Government to interact effectively as partners*  
23       *and take full advantage of the diverse resources and*  
24       *proficiencies which each entity has available.*

1       “(g) *ACTIVITIES REQUIRED WITH RESPECT TO CO-*  
2 *ORDINATION.*—*In carrying out such program of coordina-*  
3 *tion, the Assistant Secretary shall compile (and thereafter*  
4 *regularly maintain) and make available a comprehensive*  
5 *inventory of all education research, development, dissemi-*  
6 *nation activities, and expenditures being carried out by the*  
7 *Federal Government within the priority research and devel-*  
8 *opment needs identified in section 405(b)(3).*

9       “(h) *STANDARDS FOR CONDUCT AND EVALUATION OF*  
10 *RESEARCH.*—

11           “(1) *IN GENERAL.*—*In consultation with the*  
12 *Board, the Assistant Secretary shall develop such*  
13 *standards as may be necessary to govern the conduct*  
14 *and evaluation of all research, development, and dis-*  
15 *semination activities carried out by the Office to as-*  
16 *sure that such activities meet the highest standards of*  
17 *professional excellence. In developing such standards,*  
18 *the Assistant Secretary shall review the procedures uti-*  
19 *lized by the National Institutes of Health, the Na-*  
20 *tional Science Foundation, and other Federal agen-*  
21 *cies engaged in research and development and shall*  
22 *also actively solicit recommendations from the the Na-*  
23 *tional Academy of Sciences, the American Edu-*  
24 *cational Research Association and members of the*  
25 *general public.*

1           “(2) *CONTENTS OF STANDARDS.—Such stand-*  
2           *ards shall at a minimum—*

3                   “(A) *require that a system of peer review be*  
4           *utilized by the Office—*

5                           “(i) *in reviewing and evaluating all*  
6                   *applications for grants and cooperative*  
7                   *agreements and bids for those contracts*  
8                   *which exceed \$100,000;*

9                           “(ii) *in evaluating and assessing the*  
10           *performance of all recipients of grants from*  
11           *and cooperative agreements and contracts*  
12           *with the Office; and*

13                           “(iii) *in reviewing and designating ex-*  
14                   *emplary and promising programs in ac-*  
15                   *cordance with section 405C(d);*

16                   “(B)(i) *specify the composition of peer re-*  
17           *view panels, the criteria for the selection of mem-*  
18           *bers of such panels, and describe the means by*  
19           *which potential members shall be identified so as*  
20           *to assure that such panels are broadly represent-*  
21           *ative of individuals with expertise in matters*  
22           *relevant to the purposes of each such panel;*

23                           “(ii) *prohibit the consideration of partisan*  
24           *affiliation in the selection of any member of a*  
25           *peer review panel;*

1           “(iii) describe the general procedures which  
2 shall be used by each peer review panel in its op-  
3 erations;

4           “(iv) prohibit the participation by a mem-  
5 ber of a peer review panel in the review of any  
6 application in which such member has any fi-  
7 nancial interest; and

8           “(v) require that transcripts, minutes, and  
9 other documents made available to or prepared  
10 for or by a peer review panel will be available  
11 for public inspection to the extent consistent with  
12 the Freedom of Information Act, the Federal Ad-  
13 visory Committee Act, the Privacy Act, and  
14 other laws;

15           “(C)(i) describe the procedures which shall  
16 be utilized in evaluating applications for grants,  
17 proposed cooperative agreements, and contract  
18 bids;

19           “(ii) specify the criteria and factors which  
20 shall be considered in making such evaluations;  
21 and

22           “(iii) provide that any decision to fund a  
23 grant, contract, or cooperative agreement out of  
24 its order of ranking by a peer review panel shall  
25 be first fully justified in writing and that copies

1       *of such justification shall be transmitted to the*  
2       *Board, unless such action is required by some*  
3       *other provision of law;*

4               *“(D)(i) describe the procedures which shall*  
5       *be utilized in reviewing educational programs*  
6       *which have been identified by or submitted to the*  
7       *Secretary for evaluation in accordance with sec-*  
8       *tion 405C(d); and*

9               *“(ii) specify the criteria which shall be used*  
10       *in recommending programs as exemplary and*  
11       *promising; and*

12               *“(E)(i) require that the performance of all*  
13       *recipients of grants from and contracts and co-*  
14       *operative agreements with the Office shall be pe-*  
15       *riodically evaluated, both during and at the con-*  
16       *clusion of their receipt of assistance;*

17               *“(ii) describe the procedures and means by*  
18       *which such evaluations shall be undertaken, in-*  
19       *cluding—*

20                       *“(I) the frequency of such evaluations;*

21                       *“(II) the criteria, outcome measures,*  
22       *and other factors which shall be taken into*  
23       *account; and*

24                       *“(III) measures to assure that on-site*  
25       *evaluations of performance shall be utilized*

1           to the extent appropriate and whenever  
2           practicable; and

3           “(iii) provide that the results of such eval-  
4           uations shall be taken into account prior to any  
5           decision to continue, renew, or provide new fund-  
6           ing to the entity being reviewed.

7           “(3) PUBLICATION AND PROMULGATION OF  
8           STANDARDS.—

9           “(A) The Assistant Secretary shall publish  
10          proposed standards—

11           “(i) which meet the requirements of  
12           subparagraphs (A), (B), and (C) of para-  
13           graph (2) not later than 1 year after the  
14           date of the enactment of the Educational  
15           Research, Development, and Dissemination  
16           Excellence Act;

17           “(ii) which meet the requirements of  
18           paragraph (2)(D) not later than 2 years  
19           after such date; and

20           “(iii) which meet the requirements of  
21           subparagraph (E) of paragraph (2) not  
22           later than 3 years after such date;

23           “(B) Following the publication of such pro-  
24           posed standards, the Assistant Secretary shall so-  
25           licit comments from interested members of the



1       *public with respect to such proposed standards*  
2       *for a period of not more than 120 days. After*  
3       *giving due consideration to any comments which*  
4       *may have been received, the Assistant Secretary*  
5       *shall transmit such standards to the Board for*  
6       *its review and approval.*

7               “(C) Upon the approval of the Board, the  
8       *Assistant Secretary shall transmit final stand-*  
9       *ards to the Secretary which meet the require-*  
10       *ments of the particular subparagraphs of para-*  
11       *graph (2) for which they were developed. Such*  
12       *standards shall be binding upon all activities*  
13       *carried out with funds appropriated under sec-*  
14       *tion 405.*

15       “(i) *ADDITIONAL RESPONSIBILITIES OF THE ASSIST-*  
16       *ANT SECRETARY.—In carrying out the activities and pro-*  
17       *grams of the Office, the Assistant Secretary shall—*

18               “(1) *be guided by the Research Priorities Plan*  
19       *developed by the Board;*

20               “(2) *ensure that there is broad and regular pub-*  
21       *lic and professional involvement from the educational*  
22       *field in the planning and carrying out of the Office’s*  
23       *activities, including establishing teacher advisory*  
24       *boards for any program office, program or project of*  
25       *the Office as the Assistant Secretary deems necessary;*

1           “(3) ensure that the selection of research topics  
2           and the administration of the program are free from  
3           undue partisan political influence; and

4           “(4) ensure that all statistics and other data col-  
5           lected and reported by the Office shall be collected,  
6           cross-tabulated, analyzed, and reported by sex within  
7           race or ethnicity and socioeconomic status whenever  
8           feasible (and when such data collection or analysis is  
9           not feasible, ensure that the relevant report or docu-  
10          ment includes an explanation as to why such data  
11          collection or analysis is not feasible).

12          “(j) DEFINITIONS.—For purposes of this section and  
13          sections 405A through 405D:

14               “(1) The term ‘Assistant Secretary’ means the  
15               Assistant Secretary for Educational Research and  
16               Improvement established by section 202 of the Depart-  
17               ment of Education Organization Act.

18               “(2) The term ‘at-risk student’ means a student  
19               who, because of limited English proficiency, poverty,  
20               geographic location, or educational or economic dis-  
21               advantage, faces a greater risk of low educational  
22               achievement and has greater potential for dropping  
23               out of school.

24               “(3) The term ‘Board’ means the National Edu-  
25               cational Research Policy and Priorities Board.

1           “(4) The term ‘educational research’ includes  
2           basic and applied research, development, planning,  
3           surveys, assessments, evaluations, investigations, ex-  
4           periments, and demonstrations in the field of edu-  
5           cation and other fields relating to education.

6           “(5) The term ‘development’—

7                   “(A) means the systematic use, adaptation,  
8                   and transformation of knowledge and under-  
9                   standing gained from research to create alter-  
10                  natives, policies, products, methods, practices, or  
11                  materials which can contribute to the improve-  
12                  ment of educational practice; and

13                  “(B) includes the design and development of  
14                  prototypes and the testing of such prototypes for  
15                  the purposes of establishing their feasibility, reli-  
16                  ability, and cost-effectiveness.

17           “(6) The term ‘technical assistance’ means the  
18           provision of external assistance to facilitate the adop-  
19           tion or application of the knowledge gained from edu-  
20           cational research and development and includes—

21                   “(A) problem analysis and diagnosis;

22                   “(B) assistance in finding, selecting, or de-  
23                  signing suitable solutions and approaches to  
24                  problems;

1           “(C) training in the installation and imple-  
2           mentation of products, programs, policies, prac-  
3           tices, or technologies; and

4           “(D) such other assistance as may be nec-  
5           essary to encourage the adoption or application  
6           of such knowledge.

7           “(7) The term ‘dissemination’ means the transfer  
8           of knowledge and products gained through research  
9           and includes—

10           “(A) the use of communication techniques to  
11           increase awareness of such knowledge and prod-  
12           ucts;

13           “(B) the provision of comparative and eval-  
14           uative information necessary to enable educators,  
15           school administrators, and others to assess and  
16           make informed judgments about the relevance  
17           and usefulness of such knowledge and products  
18           in specific settings; and

19           “(C) the provision of technical assistance  
20           needed to adapt, apply, and utilize such knowl-  
21           edge and products in specific educational set-  
22           tings.

23           “(8) The term ‘national education dissemination  
24           system’ means the activities carried out by the Office

1       *of Reform Assistance and Dissemination established*  
2       *by section 405C.*

3               “(9) *The term ‘Office’ means the Office of Edu-*  
4       *cational Research and Improvement established in*  
5       *section 209 of the Department of Education Organi-*  
6       *zation Act.*

7               “(10) *The term ‘national research institute’*  
8       *means an institute established in section 405B.*

9               “(11) *The terms ‘United States’ and ‘State’ in-*  
10       *clude the District of Columbia and the Common-*  
11       *wealth of Puerto Rico.*

12       “(k) *AUTHORIZATION OF APPROPRIATIONS.—*

13               “(1) *NATIONAL INSTITUTES.—*

14               “(A) *For the purpose of carrying out section*  
15       *405B, there is authorized to be appropriated*  
16       *\$37,000,000 for fiscal year 1994.*

17               “(B) *For the purpose of carrying out the*  
18       *provisions of section 405B relating to the Na-*  
19       *tional Institute for Student Achievement, there*  
20       *are authorized to be appropriated \$20,000,000*  
21       *for fiscal year 1995, and such sums as are nec-*  
22       *essary for each of fiscal years 1996 and 1997.*

23               “(C) *For the purpose of carrying out the*  
24       *provisions of section 405B relating to the Na-*  
25       *tional Institute for the Education of At-Risk*

1       *Students, there are authorized to be appropriated*  
2       *\$20,000,000 for fiscal year 1995, and such sums*  
3       *as are necessary for each of fiscal years 1996 and*  
4       *1997.*

5               “(D) *For the purpose of carrying out the*  
6       *provisions of section 405B relating to the Na-*  
7       *tional Institute for Innovation in Educational*  
8       *Governance, Finance, Policy-Making, and Man-*  
9       *agement, there are authorized to be appropriated*  
10       *\$20,000,000 for fiscal year 1995, and such sums*  
11       *as are necessary for each of fiscal years 1996 and*  
12       *1997.*

13               “(E) *For the purpose of carrying out the*  
14       *provisions of section 405B relating to the Na-*  
15       *tional Institute for Early Childhood Develop-*  
16       *ment and Education, there are authorized to be*  
17       *appropriated \$20,000,000 for fiscal year 1995,*  
18       *and such sums as are necessary for each of fiscal*  
19       *years 1996 and 1997.*

20               “(F) *For the purpose of carrying out the*  
21       *provisions of section 405B relating to the Na-*  
22       *tional Institute of Postsecondary Education, Li-*  
23       *braries, and Lifelong Learning, there are author-*  
24       *ized to be appropriated \$20,000,000 for fiscal*

1        *year 1995, and such sums as are necessary for*  
2        *each of fiscal years 1996 and 1997.*

3        *“(2) NATIONAL EDUCATION DISSEMINATION SYS-*  
4        *TEM.—*

5                *“(A)(i) For the purpose of carrying out sub-*  
6                *sections (b)(2) through (g) of section 405C, there*  
7                *are authorized to be appropriated \$22,000,000*  
8                *for fiscal year 1994, and such sums as are nec-*  
9                *essary for each of the fiscal years 1995 through*  
10              *1997.*

11              *“(ii) Of the amount appropriated under*  
12              *clause (i) for any fiscal year, the Secretary shall*  
13              *make available not less than \$7,175,000 to carry*  
14              *out subsection (f) of section 405C (relating to*  
15              *clearinghouses).*

16              *“(B) For the purpose of carrying out sub-*  
17              *section (h) of section 405C (relating to regional*  
18              *educational laboratories), there are authorized to*  
19              *be appropriated \$37,000,000 for fiscal year 1994,*  
20              *and such sums as are necessary for each of the*  
21              *fiscal years 1995 through 1997. Of the amounts*  
22              *appropriated under the preceding sentence for a*  
23              *fiscal year, the Secretary shall obligate not less*  
24              *than 25 percent to carry out such purpose with*  
25              *respect to rural areas (including schools funded*

1       *by the Bureau of Indian Affairs which are lo-*  
2       *cated in rural areas).*

3               *“(C) For the purpose of carrying out sub-*  
4       *section (j) of section 405C (relating to the teacher*  
5       *research dissemination network) there are au-*  
6       *thorized to be appropriated \$30,000,000 for fis-*  
7       *cal year 1994, and such sums as are necessary*  
8       *for each of the fiscal years 1995 through 1997.*

9               *“(D) For the purpose of carrying out sub-*  
10       *section (i) of section 405C (relating to the Goals*  
11       *2000 Community Partnerships program), there*  
12       *are authorized to be appropriated \$30,000,000*  
13       *for fiscal year 1994, \$50,000,000 for fiscal year*  
14       *1995, and such sums as are necessary for each*  
15       *of the fiscal years 1996 and 1997.*

16               *“(3) NATIONAL EDUCATIONAL RESEARCH POLICY*  
17       *AND PRIORITIES BOARD.—Of the amounts appro-*  
18       *priated under paragraphs (1) and (2) for any fiscal*  
19       *year, the Secretary shall make available 2 percent of*  
20       *such amounts, or \$1,000,000, whichever is less, to the*  
21       *Board for the purpose of carrying out section 405A.*

22               *“(4) ALLOCATIONS FOR GRANTS, COOPERATIVE*  
23       *AGREEMENTS, AND CONTRACTS.—Of the amounts ap-*  
24       *propriated under paragraph (1) or (2) for any fiscal*  
25       *year, not less than 95 percent shall be expended to*



1       *carry out the purposes described in such paragraphs*  
2       *through grants, cooperative agreements, or contracts.*

3           “(5) *LIMITATIONS ON APPROPRIATIONS.—No*  
4       *amounts are authorized to be appropriated under*  
5       *paragraph (1) or (2) for fiscal year 1995 or any fis-*  
6       *cal year thereafter unless the Board has been ap-*  
7       *pointed in accordance with section 405A.*

8           “(6) *GRANT AUTHORIZED.—From the amounts*  
9       *appropriated under paragraph (1) for fiscal year*  
10      *1995, the Secretary is authorized, in accordance with*  
11      *the provisions of this paragraph, to award a grant of*  
12      *not more than \$5,000,000 to a public or private insti-*  
13      *tution, agency or organization for a period not to ex-*  
14      *ceed five years for the purpose of conducting a State-*  
15      *by-State poll to determine the perceptions of recent*  
16      *graduates of secondary schools, their instructors in*  
17      *institutions of higher education, parents of recent*  
18      *such graduates, and employers of recent such grad-*  
19      *uates on how well schools have prepared students for*  
20      *further education or employment. The grant shall be*  
21      *awarded on a competitive basis and shall be matched*  
22      *on a two-to-one basis, with the Federal Government*  
23      *contributing one-third of the total costs of the poll.”.*

1 **SEC. 212. ASSISTANT SECRETARY FOR EDUCATIONAL RE-**  
2 **SEARCH AND IMPROVEMENT.**

3 *Subsection (b) of section 202 of the Department of*  
4 *Education Organization Act is amended—*

5 *(1) in paragraph (1)—*

6 *(A) by striking subparagraph (E); and*

7 *(B) by redesignating subparagraphs (F)*  
8 *and (G) as subparagraphs (E) and (F), respec-*  
9 *tively; and*

10 *(2) by adding at the end the following new para-*  
11 *graph:*

12 *“(3) There shall be in the Department an Assistant*  
13 *Secretary for Educational Research and Improvement who*  
14 *shall be—*

15 *“(A) appointed by the President, by and with*  
16 *the consent of the Senate; and*

17 *“(B) selected in consultation with the National*  
18 *Educational Research Policy and Priorities Board*  
19 *from among individuals who—*

20 *“(i) are distinguished educational research-*  
21 *ers;*

22 *“(ii) have proven management ability; and*

23 *“(iii) have substantial knowledge of edu-*  
24 *cation within the United States.”.*

1 **SEC. 213. SAVINGS PROVISION.**

2        *Notwithstanding any other provision of law, contracts*  
3 *for the regional educational laboratories, education re-*  
4 *sources information clearinghouses and research and devel-*  
5 *opment centers assisted under section 405 of the General*  
6 *Education Provisions Act on the date of the enactment of*  
7 *this Act shall remain in effect until the termination date*  
8 *of such contracts.*

9 **SEC. 214. EXISTING GRANTS AND CONTRACTS.**

10        *Notwithstanding any other provision of law, grants*  
11 *and contracts for the research and development centers as-*  
12 *sisted under section 405 of the General Education Provi-*  
13 *sions Act on the date of enactment of this Act shall remain*  
14 *in effect until the termination date of such grants or con-*  
15 *tracts, as the case may be, except that such grants and con-*  
16 *tracts may be extended to implement the provisions of this*  
17 *Act.*

18 **PART B—NATIONAL EDUCATIONAL RESEARCH**

19 **POLICY AND PRIORITIES BOARD**

20 **SEC. 221. ESTABLISHMENT WITHIN OFFICE OF EDU-**  
21 **CATIONAL RESEARCH AND IMPROVEMENT.**

22        *Part A of the General Education Provisions Act (20*  
23 *U.S.C. 1221e et seq.) is amended by inserting after section*  
24 *405 the following new section:*

1       “*NATIONAL EDUCATIONAL RESEARCH POLICY AND*  
2                                   *PRIORITIES BOARD*

3       “*SEC. 405A. (a) IN GENERAL.—There is established*  
4 *within the Office a National Educational Research Policy*  
5 *and Priorities Board (hereafter in this section referred to*  
6 *as the ‘Board’).*

7       “*(b) FUNCTIONS.—It shall be the responsibility of the*  
8 *Board, acting through the Assistant Secretary—*

9               “*(1) to determine priorities that should guide the*  
10 *work of the Office and provide guidance to the Con-*  
11 *gress in its oversight of the Office;*

12              “*(2) to review and approve standards for the*  
13 *conduct and evaluation of all research, development,*  
14 *and dissemination carried out under the auspices of*  
15 *the Office pursuant to sections 405 through 405C; and*

16              “*(3) to regularly review, evaluate, and publicly*  
17 *comment upon, the implementation of its rec-*  
18 *ommended priorities and policies by the Department*  
19 *and the Congress.*

20       “*(c) RESEARCH PRIORITIES PLAN.—In cooperation*  
21 *with the Assistant Secretary, the Board shall—*

22              “*(1) survey and assess the state of knowledge in*  
23 *education research, development and dissemination to*  
24 *identify disciplines and areas of inquiry within the*  
25 *priority research, development and dissemination*

1     *needs identified in section 405(b)(3) in which the*  
2     *state of knowledge is insufficient and which warrant*  
3     *further investigation, taking into account the views of*  
4     *both education researchers and practicing educators;*

5             *“(2) consult with the National Education Goals*  
6     *Panel and other authorities on education to identify*  
7     *national priorities for the improvement of education;*

8             *“(3) actively solicit recommendations from edu-*  
9     *cation researchers, teachers, school administrators,*  
10    *cultural leaders, parents, and others throughout the*  
11    *Nation through such means as periodic regional fo-*  
12    *runs;*

13            *“(4) provide recommendations for the develop-*  
14    *ment, maintenance, and assurance of a strong infra-*  
15    *structure for education, research, and development in*  
16    *the United States; and*

17            *“(5) on the basis of such recommendations, de-*  
18    *velop a research priorities program which shall rec-*  
19    *ommend priorities for the investment of the resources*  
20    *of the Office over the next 5-, 10-, and 15-year peri-*  
21    *ods, including as priorities those areas of inquiry in*  
22    *which further research, development and dissemina-*  
23    *tion—*

1           “(A) is necessary to attain the goals for the  
2           improvement of education identified in para-  
3           graph (2);

4           “(B) promises to yield the greatest practical  
5           benefits to teachers and other educators in terms  
6           of improving education; and

7           “(C) will not be undertaken in sufficient  
8           scope or intensity by the other Federal and non-  
9           Federal entities engaged in education research  
10          and development.

11       “(d) CONTENTS OF PLAN—

12           “(1) IN GENERAL.—The research and priorities  
13          plan described in subsection (c) shall, at a mini-  
14          mum—

15           “(A) set forth specific objectives which can  
16          be expected to be achieved as a result of a Fed-  
17          eral investment in the priorities set forth in the  
18          plan;

19           “(B) include recommendations with respect  
20          to research and development on cross-cutting is-  
21          sues which should be carried out jointly by 2 or  
22          more of the research institutes; and

23           “(C) include an evaluative summary of the  
24          educational research and development activities  
25          undertaken by the Federal government during

1       the preceding 2 fiscal years which shall de-  
2       scribe—

3               “(i) what has been learned as a result  
4       of such activities;

5               “(ii) how such new knowledge or un-  
6       derstanding extends or otherwise relates to  
7       what had been previously known or under-  
8       stood;

9               “(iii) the implications of such new  
10      knowledge or understanding for educational  
11      practice and school reform; and

12              “(iv) any development, reform, and  
13      other assistance activities which have uti-  
14      lized such knowledge or understanding and  
15      the effects of such efforts.

16      “(2) *REPORT.*—

17              “(A) Not later than 6 months after the first  
18      meeting of the Board and October 1 of every sec-  
19      ond year thereafter, the Assistant Secretary shall  
20      publish a report specifying the proposed research  
21      priorities of the Office and allow a 60-day period  
22      beginning on the date of the publication of the  
23      report for public comment and suggestions.

24              “(B) Not later than 90 days after the expi-  
25      ration of the 60-day period referred to in sub-

1        *paragraph (A), the Assistant Secretary shall sub-*  
2        *mit to the President and the Congress a report*  
3        *specifying the research priorities of the Office*  
4        *and any public comment and suggestions ob-*  
5        *tained under such subparagraph.*

6        “(e)    *ADDITIONAL RESPONSIBILITIES OF THE*  
7        *BOARD.—It shall also be the responsibility of the Board*  
8        *to—*

9                “(1) *provide advice and assistance to the Assist-*  
10        *ant Secretary in carrying out the coordination activi-*  
11        *ties described in section 405;*

12               “(2) *make recommendations to the Assistant Sec-*  
13        *retary of persons qualified to fulfill the responsibil-*  
14        *ities of the Director for each research institute estab-*  
15        *lished by section 405B after making special efforts to*  
16        *identify qualified women and minorities and solicit-*  
17        *ing and giving due consideration to recommendations*  
18        *from professional associations and interested members*  
19        *of the public;*

20               “(3) *advise and make recommendations to the*  
21        *President with respect to individuals who are quali-*  
22        *fied to fulfill the responsibilities of the Assistant Sec-*  
23        *retary for the Office of Educational Research and Im-*  
24        *provement; and*



1           “(4) review and approve standards for the con-  
2           duct and evaluation of research developed by the As-  
3           sistant Secretary pursuant to subsection (h) of section  
4           405.

5           “(f) *STANDING SUBCOMMITTEES.*—

6           “(1) *ESTABLISHMENT; FUNCTIONS.*—The Board  
7           shall establish a standing subcommittee for each of the  
8           Institutes established by subsection (a) of section  
9           405B and for the Office of Reform Assistance and  
10          Dissemination established by subsection (b) of section  
11          405C which shall advise, assist, consult with and  
12          make recommendations to the Assistant Secretary, the  
13          Board, the Director of such entity and the Congress  
14          on matters related to the activities carried out by and  
15          through such entities.

16          “(2) *COMPOSITION.*—

17                 “(A) Each standing subcommittee shall con-  
18                 sist of 3 members of the Board and 6 additional  
19                 individuals appointed by the Board who have  
20                 significant experience in and knowledge of the  
21                 disciplines relevant to the purposes of the entity  
22                 for which the subcommittee is established.

23                 “(B) The Board shall assure that the mem-  
24                 bership of each subcommittee includes both edu-  
25                 cational researchers and persons who are knowl-

1            *edgeable about the research, development and dis-*  
2            *semination needs of practitioners, including*  
3            *classroom teachers, school administrators, and*  
4            *members of State or local boards of education.*

5            *“(g) POWERS OF THE BOARD.—In carrying out its*  
6            *functions, powers, and responsibilities, the Board—*

7            *“(1) shall, without regard to the provisions of*  
8            *title 5, United States Code, relating to the appoint-*  
9            *ment and compensation of officers or employees of the*  
10           *United States, appoint a director to be paid at a rate*  
11           *not to exceed the rate of basic pay payable for level*  
12           *V of the Executive Schedule who shall assist in carry-*  
13           *ing out and managing the activities of the Board and*  
14           *perform such other functions the Board determines to*  
15           *be necessary and appropriate;*

16           *“(2) shall hire its own staff through routine gov-*  
17           *ernment procedures;*

18           *“(3) may arrange for the detail of staff personnel*  
19           *and utilize the services and facilities of any agency*  
20           *of the Federal Government;*

21           *“(4) may enter into contracts, or make other ar-*  
22           *rangements as may be necessary to carry out its func-*  
23           *tions;*

24           *“(5) may review any grant, contract, or coopera-*  
25           *tive agreement made or entered into by the Office;*

1           “(6) may, to the extent otherwise permitted by  
2 law, obtain directly from any department or agency  
3 of the United States such information as it deems  
4 necessary to carry out its responsibilities;

5           “(7) may convene workshops and conferences,  
6 collect data, and establish subcommittees which may  
7 be composed of members of the Board and nonmember  
8 consultants (including employees of the Department)  
9 with expertise in the particular area addressed by  
10 such subcommittees; and

11           “(8) shall establish such rules and procedures to  
12 govern its operations as it considers appropriate, to  
13 the extent otherwise permitted by law.

14           “(h) MEMBERSHIP IN GENERAL.—

15           “(1) QUALIFICATIONS.—The members of the  
16 Board shall be eminent persons who, by virtue of  
17 their training, experience, and background, are excep-  
18 tionally qualified to appraise the educational research  
19 and development effort of the Nation and to establish  
20 policies and priorities to govern future Federal invest-  
21 ment in educational research, development, and dis-  
22 semination.

23           “(2) BROAD REPRESENTATION.—Due consider-  
24 ation shall be given to the gender, race, and ethnicity

1       *of appointees to assure that the Board is broadly rep-*  
2       *resentative of the diversity of the Nation.*

3               “(3) *LIMITATION.*—A voting member of the  
4       *Board may not serve on any other governing or advi-*  
5       *sory board within the Department of Education.*

6               “(4) *CONFLICT OF INTEREST.*—A voting member  
7       *of the Board shall be considered a special Government*  
8       *employee for the purposes of the Ethics in Govern-*  
9       *ment Act of 1978.*

10              “(i) *SECRETARIAL APPOINTMENTS.*—The Board shall  
11       *consist of 18 members appointed by the Secretary. Of the*  
12       *members of the Board—*

13                   “(1) *seven shall be appointed from among re-*  
14       *searchers in the field of education who have been nom-*  
15       *inated by the National Academy of Sciences and the*  
16       *National Academy of Education (giving due consider-*  
17       *ation to recommendations made by the American*  
18       *Educational Research Association), including persons*  
19       *who are among the leading authorities on early child-*  
20       *hood education and the education of at-risk students;*

21                   “(2) *five shall be outstanding field-based profes-*  
22       *sional educators;*

23                   “(3) *one shall be a Chief State School Officer;*

24                   “(4) *one shall be a local education agency school*  
25       *superintendent or principal;*

1           “(5) one shall be a member of a State or local  
2       board of education or Bureau of Indian Affairs-fund-  
3       ed school board;

4           “(6) one shall be a professional librarian, school  
5       library media specialist, library administrator, or li-  
6       brary science educator;

7           “(7) one shall be a parent with extensive experi-  
8       ence in promoting parental involvement in education;  
9       and

10          “(8) one shall be an individual from business  
11       and industry with significant experience in promot-  
12       ing private sector involvement in education.

13          “(j) REQUIREMENTS FOR NOMINATIONS BY THE NA-  
14       TIONAL ACADEMY OF SCIENCES AND THE NATIONAL ACAD-  
15       EMY OF EDUCATION.—

16          “(1) IN GENERAL.—In making nominations for  
17       the members of the Board described in subsection  
18       (i)(1), the National Academy of Sciences and the Na-  
19       tional Academy of Education—

20               “(A) may not nominate any individual who  
21       is an elected officer or employee of such organi-  
22       zations; and

23               “(B) shall each nominate not less than 5 in-  
24       dividuals for each of the positions on the Board

1           *for which such organization has responsibility*  
2           *for making nominations.*

3           “(2) *REQUEST FOR ADDITIONAL NOMINATIONS.*—

4           *In the event that the Secretary determines that none*  
5           *of the individuals nominated by the National Acad-*  
6           *emy of Sciences or the National Academy of Edu-*  
7           *cation meets the qualifications for membership on the*  
8           *Board specified in subsection (i), the Secretary may*  
9           *request that such organization make additional nomi-*  
10          *nations.*

11          “(k) *NOMINATIONS FOR BOARD MEMBERSHIP.*—*Prior*  
12          *to appointing any member of the Board, the Secretary shall*  
13          *actively solicit and give due consideration to recommenda-*  
14          *tions of persons qualified for membership on the board from*  
15          *the National Education Association, the American Federa-*  
16          *tion of Teachers, the National Parent-Teachers Association,*  
17          *the American Library Association, the American Associa-*  
18          *tion of School Administrators, the National Association of*  
19          *State Boards of Education, the National Indian School*  
20          *Board Association, the Association of Community Tribal*  
21          *Schools, the National Indian Education Association, and*  
22          *other education-related organizations and interested mem-*  
23          *bers of the public.*

1       “(l) *EX OFFICIO MEMBERS.*—*The ex officio, nonvoting*  
2 *members of the Board shall include the Assistant Secretary*  
3 *and may also include—*

4               “(1) *the Director of Research for the Department*  
5 *of Defense;*

6               “(2) *the Director of Research for the Department*  
7 *of Labor;*

8               “(3) *the Director of the National Science Foun-*  
9 *dation;*

10              “(4) *the Director of the National Institutes of*  
11 *Health;*

12              “(5) *the chair of the National Endowment for the*  
13 *Arts;*

14              “(6) *the chair of the National Endowment for the*  
15 *Humanities;*

16              “(7) *the Librarian of Congress; and*

17              “(8) *the Director of the Office of Indian Edu-*  
18 *cation Programs of the Department of the Interior.*

19       “(m) *CHAIR.*—*The Board shall select a Chair from*  
20 *among its appointed members who shall serve for a renew-*  
21 *able term of 2 years.*

22       “(n) *TERMS OF OFFICE.*—

23              “(1) *IN GENERAL.*—*Except as provided in para-*  
24 *graphs (2) and (3), the term of office of each voting*  
25 *member of the Board shall be 5 years.*

1           “(2) *EXCEPTIONS.*—

2                   “(A) *Any individual appointed to fill a va-*  
3                   *cancy occurring on the Board prior to the expi-*  
4                   *ration of the term for which the predecessor of*  
5                   *the individual was appointed shall be appointed*  
6                   *for the remainder of the term. A vacancy shall*  
7                   *be filled in the same manner in which the origi-*  
8                   *nal appointment was made.*

9                   “(B) *The terms of office of the members of*  
10                  *the Board who first take office after the date of*  
11                  *the enactment of the Educational Research, De-*  
12                  *velopment, and Dissemination Excellence Act*  
13                  *shall, as designated by a random selection proc-*  
14                  *ess at the time of appointment, be as follows:*

15                       “(i) *2 years for each of 6 members of*  
16                       *the Board.*

17                       “(ii) *3 years for each of 6 members of*  
18                       *the Board.*

19                       “(iii) *5 years for each of 6 members of*  
20                       *the Board.*

21                  “(3) *PROHIBITION ON CERTAIN CONSECUTIVE*  
22                  *TERMS.*—*An individual who has been a member of*  
23                  *the Board for 10 consecutive years shall thereafter be*  
24                  *ineligible for appointment during the 5-year period*



1 *beginning on the date of the expiration of the 10th*  
 2 *year.*

3 *“(o) MEETINGS OF BOARD.—*

4 *“(1) INITIAL MEETING.—The Secretary shall en-*  
 5 *sure that the first meeting of the Board is held not*  
 6 *later than May 15, 1994.*

7 *“(2) SUBSEQUENT MEETINGS.—The Board shall*  
 8 *meet quarterly, at the call of the Chair, and when at*  
 9 *least one-third of the members of the Board make a*  
 10 *written request to meet.*

11 *“(3) QUORUM.—A majority of the Board shall*  
 12 *constitute a quorum.*

13 *“(4) OPEN MEETINGS.—The Government in the*  
 14 *Sunshine Act (5 U.S.C. 552b) shall apply to meetings*  
 15 *of the Board.”.*

16 ***PART C—NATIONAL RESEARCH INSTITUTES***

17 ***SEC. 231. ESTABLISHMENT WITHIN OFFICE OF EDU-***  
 18 ***CATIONAL RESEARCH AND IMPROVEMENT.***

19 *Part A of the General Education Provisions Act, as*  
 20 *amended by section 221 of this Act, is amended by inserting*  
 21 *after section 405A the following new section:*

22 *“NATIONAL RESEARCH INSTITUTES*

23 *“SEC. 405B. (a) ESTABLISHMENT OF INSTITUTES.—*  
 24 *In order to fulfill the research and development purposes*  
 25 *of the Office, and to carry out, in accordance with the*  
 26 *standards established by the Board, a program of high-qual-*

1 *ity and rigorously evaluated research and development that*  
2 *is capable of improving Federal, State, Indian tribal, and*  
3 *local education policies and practices, there are established*  
4 *within the Office the following institutes:*

5           “(1) *The National Institute for the Education of*  
6           *At-Risk Students.*

7           “(2) *The National Institute for Innovation in*  
8           *Educational Governance, Finance, Policy-Making,*  
9           *and Management.*

10           “(3) *The National Institute for Early Childhood*  
11           *Development and Education.*

12           “(4) *The National Institute on Student Achieve-*  
13           *ment.*

14           “(5) *The National Institute on Postsecondary*  
15           *Education, Libraries, and Lifelong Education.*

16           “(b) *DIRECTORS.—*

17           “(1) *IN GENERAL.—Each Institute established by*  
18           *subsection (a) shall be headed by a Director who shall*  
19           *be appointed by the Assistant Secretary from among*  
20           *persons who have significant experience and expertise*  
21           *in the disciplines relevant to the purposes of such In-*  
22           *stitute. Prior to making such appointment, the Assist-*  
23           *ant Secretary shall solicit and give due consideration*  
24           *to recommendations made by the Board of persons*  
25           *qualified to fulfill the position.*

1           “(2) *TERM OF OFFICE.*—*The Director of each In-*  
 2           *stitute shall serve for a renewable term of 3 years.*

3           “(3) *REPORTING.*—*Each Director shall report*  
 4           *directly to the Assistant Secretary regarding the ac-*  
 5           *tivities of the Institute and shall work with the other*  
 6           *directors to promote research syntheses across the In-*  
 7           *stitutes.*

8           “(c) *AUTHORITIES AND DUTIES.*—

9           “(1) *IN GENERAL.*—*The Assistant Secretary is*  
 10          *authorized to conduct research, development, dem-*  
 11          *onstration, and evaluation activities to carry out the*  
 12          *purposes for which such Institute was established—*

13               “(A) *directly;*

14               “(B) *through grants, contracts, and cooper-*  
 15               *ative agreements with institutions of higher edu-*  
 16               *cation, regional educational laboratories, public*  
 17               *and private organizations, institutions, agencies,*  
 18               *and individuals, which may include—*

19                       “(i) *grants to support research and de-*  
 20                       *velopment centers which are—*

21                               “(I) *awarded competitively for a*  
 22                               *period of not less than 6 and not more*  
 23                               *than 10 years;*

24                               “(II) *funded at not less than*  
 25                               *\$2,000,000 annually in order to sup-*

1            *port a full range of basic research, ap-*  
2            *plied research and dissemination ac-*  
3            *tivities, which may also include devel-*  
4            *opment activities; and*

5            *“(III) established by institutions*  
6            *of higher education, by institutions of*  
7            *higher education in consortium with*  
8            *public agencies or private nonprofit or-*  
9            *ganizations, or by interstate agencies*  
10           *established by compact which operate*  
11           *subsidiary bodies established to conduct*  
12           *postsecondary educational research and*  
13           *development;*

14           *“(ii) public-private research partner-*  
15           *ships established by a State or local edu-*  
16           *cation agency, Bureau of Indian Affairs-*  
17           *funded school, or tribal department of edu-*  
18           *cation, in concert with a private organiza-*  
19           *tion and a team of educational researchers,*  
20           *for which the Federal share shall be limited*  
21           *to not more than 50 percent of the total*  
22           *costs of the project;*

23           *“(iii) meritorious unsolicited proposals*  
24           *for educational research and related activi-*  
25           *ties;*

1           “(iv) proposals that are specifically in-  
2           vited or requested by the Assistant Sec-  
3           retary, on a competitive basis; and

4           “(v) dissertation grants, awarded for a  
5           period of not more than 2 years and in a  
6           total amount not to exceed \$20,000 to grad-  
7           uate students in the sciences, humanities,  
8           and the arts to support research by such  
9           scholars in the field of education;

10          “(C) through the provision of technical as-  
11          sistance; and

12          “(D) through the award of fellowships to  
13          support graduate study in educational research  
14          by qualified African-American, Hispanic, Amer-  
15          ican Indian and Alaska Native, and other indi-  
16          viduals from groups which have been tradition-  
17          ally underrepresented in the field of educational  
18          research which shall—

19               “(i) be awarded on the basis of merit  
20               for a period of 3 years; and

21               “(ii) provide stipends to each fellow in  
22               an amount which shall be set at a level of  
23               support comparable to that provided by the  
24               National Science Foundation Graduate Fel-  
25               lowships, except that such amounts shall be

1           *adjusted as necessary so as not to exceed*  
2           *each fellow's demonstrated level of need.*

3           “(2) *SCOPE AND FOCUS OF ACTIVITIES.*—*In car-*  
4           *rying out the purposes for which each Institute is es-*  
5           *tablished, the Assistant Secretary shall—*

6                     “(A) *maintain an appropriate balance be-*  
7                     *tween applied and basic research;*

8                     “(B) *significantly expand the role of field-*  
9                     *initiated research in meeting the Nation's edu-*  
10                    *cation research and development needs by reserv-*  
11                    *ing not less than 15 percent of the amounts*  
12                    *available to each Institute in any fiscal year to*  
13                    *support field-initiated research described in*  
14                    *clauses (iii) through (v) of paragraph (1);*

15                    “(C) *provide for and maintain a stable*  
16                    *foundation of long-term research and develop-*  
17                    *ment on core issues and concerns conducted*  
18                    *through university-based research and develop-*  
19                    *ment centers by reserving not less than one-third*  
20                    *of the amounts available to each Institute in any*  
21                    *fiscal year to support such research and develop-*  
22                    *ment centers;*

23                    “(D) *support and provide research informa-*  
24                    *tion that leads to policy formation for State leg-*  
25                    *islatures, State and local boards of education*

1       *and other policy and governing bodies, to assist*  
2       *such entities in identifying and developing effec-*  
3       *tive policies to promote student achievement and*  
4       *school improvement; and*

5               “(E) coordinate the Institute’s activities  
6       *with the activities of the regional educational*  
7       *laboratories and with other educational service*  
8       *organizations in designing the Institute’s re-*  
9       *search agenda and projects in order to increase*  
10       *the responsiveness of such Institute to the needs*  
11       *of teachers and the educational field and to bring*  
12       *research findings directly into schools to ensure*  
13       *greatest access at the local level to the latest re-*  
14       *search developments.*

15               “(3) REQUIREMENTS REGARDING FINANCIAL AS-  
16       *SISTANCE.—No grant, contract, or cooperative agree-*  
17       *ment may be made under this section unless—*

18               “(A) sufficient notice of the availability of,  
19       *and opportunity to compete for, assistance has*  
20       *first been provided to potential applicants*  
21       *through notice published in the Federal Register*  
22       *or other appropriate means;*

23               “(B) it has been evaluated through peer re-  
24       *view in accordance with the standards developed*  
25       *pursuant to subsection (h) of section 405;*

1           “(C) it will be evaluated in accordance with  
2           the standards developed pursuant to subsection  
3           (h) of section 405;

4           “(D) in the case of a grant, contract, or co-  
5           operative agreement which exceeds \$500,000 for  
6           a single fiscal year or \$1,000,000 for more than  
7           one fiscal year, the Secretary has complied with  
8           the requirements of paragraph (4); and

9           “(E) in the case of a grant, contract, or co-  
10          operative agreement to support a research and  
11          development center, all applications for such as-  
12          sistance have been evaluated by independent ex-  
13          perts according to standards and criteria which  
14          include—

15               “(i) whether applicants have assembled  
16               a critical mass of high quality researchers  
17               sufficient to achieve the mission of the cen-  
18               ter;

19               “(ii) whether the proposed organiza-  
20               tional structure and arrangements will fa-  
21               cilitate achievement of the mission of the  
22               center;

23               “(iii) whether there is a substantial  
24               staff commitment to the work of the center;



1           “(iv) whether the directors and staff  
2           will devote adequate time to center activi-  
3           ties; and

4           “(v) review of the contributions of pri-  
5           mary researchers (other than researchers at  
6           the proposed center) to evaluate the appro-  
7           priateness of such primary researcher’s ex-  
8           periences and expertise in the context of the  
9           proposed center activities, and the adequacy  
10          of such primary researcher’s time commit-  
11          ment to achievement of the mission of the  
12          center.

13          “(4) BOARD REVIEW OF CERTAIN PROPOSED  
14          GRANT AND CONTRACT ACTIONS.—The Assistant Sec-  
15          retary may not solicit any contract bid or issue a re-  
16          quest for proposals or applications for any grant or  
17          cooperative agreement the amount of which exceeds  
18          \$500,000 in any single fiscal year or which exceeds  
19          an aggregate amount of \$1,000,000 for more than one  
20          fiscal year unless the Board has had an opportunity  
21          to review such proposed grant, contract, or coopera-  
22          tive agreement action and to provide written com-  
23          ments to the Assistant Secretary with respect to  
24          whether—

1           “(A) the purposes and scope of the proposed  
2           action are consistent with the Research Priorities  
3           Plan; and

4           “(B) the methodology and approach of the  
5           proposed action are sound and adequate to  
6           achieve its stated objectives.

7           “(5) HISTORICALLY UNDERUTILIZED RESEARCH-  
8           ERS AND INSTITUTIONS.—The Assistant Secretary  
9           shall establish and maintain initiatives and pro-  
10          grams to increase the participation in the activities  
11          of each Institute of groups of researchers and institu-  
12          tions that have been historically underutilized in Fed-  
13          eral educational research activities, including—

14               “(A) researchers who are women, African-  
15               American, Hispanic, American Indian and  
16               Alaska Native, or other ethnic minorities;

17               “(B) promising young or new researchers in  
18               the field, such as postdoctoral students and re-  
19               cently appointed assistant or associate profes-  
20               sors;

21               “(C) historically black colleges and univer-  
22               sities, tribally controlled community colleges,  
23               and other institutions of higher education with  
24               large numbers of minority students;

1           “(D) institutions of higher education located  
2           in rural areas; and

3           “(E) institutions and researchers located in  
4           States and regions of the Nation which have his-  
5           torically received the least Federal support for  
6           educational research and development.

7           “(6) ADDITIONAL AUTHORITIES.—The Assistant  
8           Secretary—

9           “(A) may obtain (in accordance with sec-  
10          tion 3109 of title 5 but without regard to the  
11          limitation in such section on the period of serv-  
12          ice) the services of experts or consultants with  
13          scientific or professional qualifications in the  
14          disciplines relevant to the purposes of such Insti-  
15          tute;

16          “(B) may use, with their consent, the serv-  
17          ices, equipment, personnel, information, and fa-  
18          cilities of other Federal, State, or local public  
19          agencies, with or without reimbursement there-  
20          for;

21          “(C) may accept voluntary and uncompen-  
22          sated services; and

23          “(D) may accept unconditional gifts made  
24          to the Office to support its activities.

1       “(d) NATIONAL INSTITUTE FOR THE EDUCATION OF  
2 AT-RISK STUDENTS.—

3           “(1) FINDINGS.—The Congress finds as follows:

4           “(A) The rate of decline in our urban  
5 schools is escalating at a rapid pace. Student  
6 performance in most inner city schools grows  
7 worse each year. At least half of all students en-  
8 tering ninth grade fail to graduate 4 years later  
9 and many more students from high-poverty back-  
10 grounds leave school with skills that are inad-  
11 equate for today’s workplace. In 1988 the average  
12 National Assessment of Educational Progress  
13 (NAEP) reading score of white 17 year-olds was  
14 approximately 20 points higher than that of Af-  
15 rican-American 17 year-olds and 25 points high-  
16 er than that of Hispanic 17 year-olds. None of  
17 the existing Federal educational research and de-  
18 velopment programs are adequately addressing  
19 this obvious emergency.

20           “(B) Rural schools enroll a disproportion-  
21 ately large share of the Nation’s poor and at-risk  
22 students and yet often lack the means to address  
23 effectively the needs of these children. Intensive  
24 efforts must be made to overcome the problems of  
25 geographic isolation, declining population, inad-

1       equate financial resources and other impedi-  
2       ments to the educational success of children re-  
3       siding in rural areas.

4               “(C) By the year 2000, an estimated 3.4  
5       million school age children with limited English  
6       language proficiency will be entering the school  
7       system. The Federal Government must develop  
8       effective policies and programs to address the  
9       educational needs of this growing population of  
10      children who are at increased risk for edu-  
11      cational failure.

12             “(D) An educational emergency exists in  
13      those urban and rural areas where there are  
14      large concentrations of children who live in pov-  
15      erty. The numbers of educationally disadvan-  
16      taged children will substantially increase by the  
17      year 2020, when the number of impoverished  
18      children alone will be 16.5 million, a 33 percent  
19      increase over the 12.4 million children in pov-  
20      erty in 1987.

21             “(E) American Indian and Alaska Native  
22      students are keenly at-risk of educational failure,  
23      with demonstrated high dropout, illiteracy and  
24      poverty rates, and cultural, linguistic, social and  
25      geographic isolation. The estimated 400,000 In-

1        *dian and Alaska Native student population from*  
2        *over 500 Indian and Alaska Native tribes, is*  
3        *small and scattered throughout remote reserva-*  
4        *tions and villages in 32 States, and in off-res-*  
5        *ervation rural and urban communities where In-*  
6        *dians constitute but a small percentage of public*  
7        *school student bodies. To meaningfully address*  
8        *the special educational needs of this historically*  
9        *under-served population, the existing research*  
10       *and development system must be opened to In-*  
11       *dian and Alaska Native people to identify needs*  
12       *and design ways to address such needs.*

13        *“(F) Minority scholars as well as institu-*  
14       *tions and groups that have been historically com-*  
15       *mitted to the improvement of the education of at-*  
16       *risk students need to be more fully mobilized in*  
17       *the effort to develop a new generation of pro-*  
18       *grams, models, practices, and schools capable of*  
19       *responding to the urgent needs of students who*  
20       *are educationally at-risk.*

21        *“(2) PURPOSE.—It shall be the purpose of the*  
22       *Institute for the Education of At-Risk Students to*  
23       *carry out a coordinated and comprehensive program*  
24       *of research and development to provide nonpartisan,*  
25       *research-based leadership to the Nation as it seeks to*

1     *improve educational opportunities for students who*  
2     *are at-risk for educational failure, particularly chil-*  
3     *dren who reside in inner city and rural areas, and*  
4     *on Indian reservations, and children of limited Eng-*  
5     *lish proficiency. Such program shall—*

6             *“(A) undertake research necessary to pro-*  
7             *vide a sound basis from which to identify, de-*  
8             *velop, evaluate, and assist others to replicate and*  
9             *adapt interventions, programs, and models*  
10            *which promote greater achievement and edu-*  
11            *cational success by at-risk students, such as—*

12                *“(i) methods of instruction and edu-*  
13                *cational practices (including community*  
14                *services) which improve the achievement*  
15                *and retention of at-risk students;*

16                *“(ii) means by which parents and com-*  
17                *munity resources and institutions (includ-*  
18                *ing cultural institutions) can be utilized to*  
19                *support and improve the achievement of at-*  
20                *risk students;*

21                *“(iii) the training of teachers and*  
22                *other educational professionals and para-*  
23                *professionals to work more effectively with*  
24                *at-risk students;*

1                   “(iv) the most effective uses of tech-  
2                   nology in the education of at-risk students;

3                   “(v) programs designed to promote  
4                   gender equity in schools that serve at-risk  
5                   students; and

6                   “(vi) methods of assessing the achieve-  
7                   ment of students which are sensitive to cul-  
8                   tural differences, provide multiple methods  
9                   of assessing student learning, support stu-  
10                  dent acquisition of higher order capabilities,  
11                  and enable identification of the effects of in-  
12                  equalities in the resources available to sup-  
13                  port the learning of children throughout the  
14                  Nation; and

15                  “(B) maximize the participation of those  
16                  schools and institutions of higher education that  
17                  serve the greatest number of at-risk students in  
18                  inner city and rural areas, and on Indian res-  
19                  ervations, including model collaborative pro-  
20                  grams between schools and school systems, insti-  
21                  tutions of higher education, cultural institutions,  
22                  and community organizations.

23                  “(3) COMPREHENSIVE RESEARCH PROGRAM.—  
24                  The Institute shall support a diverse and comprehen-



1        *sive program of research and development which shall*  
2        *include research related to the educational needs of—*

3                *“(A) at-risk students who reside in urban*  
4                *areas;*

5                *“(B) at-risk students who reside in rural*  
6                *areas;*

7                *“(C) children with limited English lan-*  
8                *guage proficiency; and*

9                *“(D) Indian and Alaska Native students.*

10                *“(4) CONSULTATION WITH INDIAN AND ALASKA*  
11        *NATIVE EDUCATORS.—All research and development*  
12        *activities supported by the Institute which relate to*  
13        *the education of Indian and Alaska Native students*  
14        *shall be developed in close consultation with Indian*  
15        *and Alaska Native researchers and educators, tribally*  
16        *controlled community colleges, tribal departments of*  
17        *education, and others with expertise in the needs of*  
18        *Indian and Native Alaska students.*

19                *“(e) NATIONAL INSTITUTE FOR INNOVATION IN EDU-*  
20        *CATIONAL GOVERNANCE, FINANCE, POLICY-MAKING, AND*  
21        *MANAGEMENT.—*

22                *“(1) FINDINGS.—The Congress finds as follows:*

23                *“(A) Many elementary and secondary*  
24                *schools in the United States—*

1                   “(i) are structured according to models  
2                   that are ineffective and rely on notions of  
3                   management and governance that may be  
4                   outdated or insufficient for the challenges of  
5                   the next century; and

6                   “(ii) are unsuccessful in equipping all  
7                   students with the knowledge and skills need-  
8                   ed to succeed as citizens and in the working  
9                   world.

10                  “(B) New approaches are needed in the gov-  
11                  ernance and management of elementary and sec-  
12                  ondary education with the United States at the  
13                  State, local, school building and classroom level.

14                  “(C) Not enough is known about the effects  
15                  of various systems of school governance and  
16                  management on student achievement to provide  
17                  sound guidance to policymakers as they pursue  
18                  school restructuring and reform.

19                  “(D) A concentrated Federal effort is needed  
20                  to support research, development, demonstration,  
21                  and evaluation of approaches to school govern-  
22                  ance, finance and management which promise to  
23                  improve education equity and excellence through-  
24                  out the Nation.

1           “(2) *PURPOSE.*—It shall be the purpose of the  
2       *National Institute on Innovation in Educational*  
3       *Governance, Finance, Policy-Making, and Manage-*  
4       *ment to carry out a coordinated and comprehensive*  
5       *program of research and development to provide non-*  
6       *partisan, research-based leadership to the Nation as it*  
7       *seeks to improve student achievement through school*  
8       *restructuring and reform. Such program shall—*

9           “(A) *undertake research necessary to pro-*  
10       *vide a sound basis from which to identify, de-*  
11       *velop and evaluate approaches in governance, fi-*  
12       *nance, policy-making, and management at the*  
13       *State, local, tribal, school building and classroom*  
14       *level which promise to improve educational eq-*  
15       *uity and excellence, such as—*

16           “(i) *open enrollment programs, magnet*  
17       *schools and other systems through which*  
18       *parents may select the public schools and*  
19       *educational programs in which their chil-*  
20       *dren are enrolled;*

21           “(ii) *innovative school design, includ-*  
22       *ing lengthening the school day and the*  
23       *school year, reducing class size and building*  
24       *professional development into the weekly*  
25       *school schedule;*

1           “(iii) effective approaches to organiz-  
2           ing learning;

3           “(iv) effective ways of grouping stu-  
4           dents for learning so that a student is not  
5           labeled or stigmatized in ways that may  
6           impede such student’s achievement;

7           “(v) effective approaches to organizing,  
8           structuring, and financing vocational edu-  
9           cation;

10          “(vi) the provision of financial and  
11          other rewards and incentives based on per-  
12          formance to improve student achievement;

13          “(vii) the use of regulatory flexibility  
14          on the State or district level to promote in-  
15          novation and school restructuring;

16          “(viii) school-based management;

17          “(ix) the restructuring of school finance  
18          systems at the State and local level to pro-  
19          mote greater equity in the distribution of  
20          resources for education and to maximize the  
21          allocation of such resources to support di-  
22          rect learning;

23          “(x) expanding the role of teachers in  
24          policymaking and administration at the  
25          school and district-wide level;

1                   “(xi) programs designed to increase the  
2                   involvement of parents and families in the  
3                   management and governance of schools and  
4                   the education of their children;

5                   “(xii) effective approaches to increas-  
6                   ing the representation of women and mi-  
7                   norities among leadership and management  
8                   positions in education;

9                   “(xiii) approaches to systemic reforms  
10                  involving the coordination of multiple poli-  
11                  cies of each level of government to promote  
12                  higher levels of student achievement;

13                  “(xiv) approaches to coordinated serv-  
14                  ices for children; and

15                  “(xv) policies related to school to work  
16                  transitions and preparing noncollege-bound  
17                  students; and

18                  “(B) undertake research and development  
19                  activities necessary to provide information on  
20                  the skills required for successful educational lead-  
21                  ership at the State, tribal, and local level and to  
22                  enhance the ability of school leaders and admin-  
23                  istrators to improve the educational environment  
24                  for all students.

1           “(3) *RESEARCH ON EDUCATIONAL CHOICE.*—In  
2           *carrying out the duties of the Institute, the Assistant*  
3           *Secretary shall conduct or support research on wheth-*  
4           *er and to what extent the quality of education in the*  
5           *United States would be improved by providing public*  
6           *funds to parents for the costs of attendance of their*  
7           *children at the elementary and secondary schools of*  
8           *the parents’ choice.*

9           “(f) *NATIONAL INSTITUTE FOR EARLY CHILDHOOD*  
10          *DEVELOPMENT AND EDUCATION.*—

11           “(1) *FINDINGS.*—*The Congress finds as follows:*

12                   “(A) *The Nation has set as a goal that all*  
13                   *children should arrive at school ready to learn.*

14                   “(B) *Despite efforts to expand and improve*  
15                   *preschool programs, many children still reach*  
16                   *school age unprepared to benefit from formal*  
17                   *education programs.*

18                   “(C) *Early intervention for disadvantaged*  
19                   *children from conception to age five has been*  
20                   *shown to be a highly cost-effective strategy for re-*  
21                   *ducing later expenditures on a wide variety of*  
22                   *health, developmental, and educational problems*  
23                   *that often interfere with learning. Long-term*  
24                   *studies of the benefits of preschool education have*  
25                   *a demonstrated return on investment ranging*

1       *from three to six dollars for every one dollar*  
2       *spent.*

3               “(D) *The Federal government should play a*  
4       *central role in providing research-based informa-*  
5       *tion on early childhood education models which*  
6       *enhance children’s development and ultimately*  
7       *their success in school.*

8               “(2) *PURPOSE.—The purpose of the National In-*  
9       *stitute for Early Childhood Development and Edu-*  
10       *cation is to carry out a comprehensive program of re-*  
11       *search and development to provide nonpartisan, re-*  
12       *search-based leadership to the Nation as it seeks to*  
13       *improve early childhood development and education.*  
14       *Such program shall identify, develop, evaluate, and*  
15       *assist others to replicate sound policies and practices*  
16       *that may include—*

17               “(A) *social and educational development of*  
18       *all infants, toddlers, and preschool children;*

19               “(B) *the role of parents and the community*  
20       *in promoting the successful social and edu-*  
21       *cational development of children from birth to*  
22       *age five;*

23               “(C) *training and preparation of teachers*  
24       *and other professional and paraprofessional pre-*  
25       *school and child care workers;*

1           “(D) the structure and environment of early  
2 childhood education and child care settings  
3 which lead to improved social and educational  
4 development;

5           “(E) practices and approaches which sus-  
6 tain the benefits of effective preschool and child  
7 care programs;

8           “(F) effective learning methods and curricu-  
9 lum for early childhood learning, including ac-  
10 cess to current materials in libraries;

11           “(G) the importance of family literacy and  
12 parental involvement in student learning;

13           “(H) the impact that outside influences  
14 have on learning, including television, and drug  
15 and alcohol abuse; and

16           “(I) methods for integrating learning in set-  
17 tings other than the classroom, such as within  
18 families and communities, with a special empha-  
19 sis on character development and the value of  
20 hard work.

21           “(3) CERTAIN REQUIREMENTS.—In carrying out  
22 the activities of the Institute, the Assistant Secretary  
23 shall—



1           “(A) place special emphasis on the special  
2           early childhood education needs of at-risk chil-  
3           dren, children with disabilities, and girls; and

4           “(B) ensure that its research and develop-  
5           ment program provides information that can be  
6           utilized in improving the major Federal early  
7           childhood education programs, including Head  
8           Start, Even Start, chapter 1 preschool programs,  
9           and part H of the Individuals with Disabilities  
10          Education Act, and Bureau of Indian Affairs  
11          early childhood development programs.

12          “(g) NATIONAL INSTITUTE ON STUDENT ACHIEVE-  
13          MENT.—

14          “(1) FINDINGS.—The Congress finds as follows:

15               “(A) The current achievement levels of stu-  
16               dents in the Nation are far below those that  
17               might indicate competency in challenging subject  
18               matter in English, mathematics, science, history,  
19               and geography and other areas, or across the  
20               subject areas.

21               “(B) Very few students demonstrate that  
22               they can use their minds well. In recent assess-  
23               ments, more students are gaining basic skills, yet  
24               fewer are demonstrating a grasp of higher-level  
25               applications of those skills.

1           “(C) During the past 20 years, relatively  
2           little has changed in how students are taught.  
3           Despite much research suggesting better alter-  
4           natives, classrooms are still dominated by text-  
5           books, teacher lectures, and short-answer activity  
6           sheets and unequal patterns of student attention.

7           “(D) Despite progress in narrowing the  
8           gaps, the differences in performance between  
9           white students and their minority counterparts  
10          remain unacceptably large. While progress has  
11          been made in reducing the gender gap in mathe-  
12          matics, it still remains at higher levels of prob-  
13          lem solving. Too little progress has been made in  
14          reducing gender performance gaps favoring  
15          males in science and females in writing.

16          “(2) PURPOSE.—The purpose of the National In-  
17          stitute on Student Achievement is to carry out a co-  
18          ordinated and comprehensive program of research  
19          and development to provide research-based leadership  
20          to the Nation as it seeks to improve student achieve-  
21          ment in English, mathematics, science, history, geog-  
22          raphy, and other subject areas and across the bound-  
23          aries of the subject areas. Such program shall—

24                 “(A) identify, develop, and evaluate innova-  
25                 tive and exemplary methods to improve student

1           *knowledge at all levels in English, mathematics,*  
2           *science, history, geography, civics and govern-*  
3           *ment, foreign languages, arts and humanities,*  
4           *economics, and other subject areas, such as—*

5                   “(i) *student learning and assessment*  
6                   *in various subject matters;*

7                   “(ii) *the effects of organizational pat-*  
8                   *terns on the delivery of instruction, includ-*  
9                   *ing issues of grouping and tracking,*  
10                  *ungraded classrooms, and on the effects of*  
11                  *various pedagogies, including the issues of*  
12                  *technology in education;*

13                  “(iii) *the best methods of teacher prep-*  
14                  *aration;*

15                  “(iv) *methods to improve the process of*  
16                  *reading, the craft of writing, the growth of*  
17                  *reasoning skills, and the development of in-*  
18                  *formation-finding skills;*

19                  “(v) *enabling students to develop high-*  
20                  *er order thinking skills;*

21                  “(vi) *methods to teach effectively all*  
22                  *students in mixed-ability classrooms;*

23                  “(vii) *curriculum, instruction, and as-*  
24                  *essment, in vocational education;*

1                   “(viii) the impact and effectiveness of  
2                   Federal, State, and local efforts to provide  
3                   gender-fair educational opportunities to ele-  
4                   mentary and secondary students; and

5                   “(ix) programs, policies, approaches  
6                   which promote gender equity in elementary  
7                   and secondary education;

8                   “(B) conduct basic and applied research in  
9                   the areas of human learning, cognition, and per-  
10                  formance, including research and development on  
11                  the education contexts which promote excellence  
12                  in learning and instruction, and motivational  
13                  issues which provide a key to learning;

14                  “(C) identify, develop, and evaluate pro-  
15                  grams designed to enhance academic achievement  
16                  and narrow racial and gender performance gaps  
17                  in a variety of subject areas, including research  
18                  and development on methods of involving parents  
19                  in their children’s education and ways to involve  
20                  business, industry and other community part-  
21                  ners in promoting excellence in schools; and

22                  “(D) include a comprehensive, coordinated  
23                  program of research and development in the area  
24                  of assessment which—

25                  “(i) addresses such issues as—

1           “(I) the validity, reliability, gen-  
2           eralizability, fairness, costs, relative  
3           merits, and most appropriate uses of  
4           various approaches and methods of as-  
5           sessing student learning and achieve-  
6           ment;

7           “(II) methods and approaches to  
8           assessing student opportunities to learn  
9           (including the quality of instruction  
10          and the availability of resources nec-  
11          essary to support learning) and evalu-  
12          ating the quality of school environ-  
13          ment;

14          “(III) the design, development,  
15          evaluation, and validation of model  
16          performance-based and other alter-  
17          native or innovative formats or uses of  
18          assessments;

19          “(IV) the impact of high-stakes  
20          uses of assessment on student perform-  
21          ance and motivation, narrowing of  
22          curriculum, teaching practices, and  
23          test integrity;

24          “(V) the fairness and impact of  
25          various methods of assessment on chil-

1        *dren of different races, ethnicities, gen-*  
2        *der, socioeconomic status, English lan-*  
3        *guage proficiencies, and children with*  
4        *other special needs;*

5                *“(VI) standards of performance,*  
6                *quality, and validity for various meth-*  
7                *ods of assessment and the means by*  
8                *which such standards should be devel-*  
9                *oped;*

10               *“(VII) current and emerging test-*  
11               *ing practices of State and local edu-*  
12               *cation agencies within the United*  
13               *States, as well as other nations;*

14               *“(VIII) the diverse effects, both in-*  
15               *tended and unintended, of assessments*  
16               *as actually used in the schools, includ-*  
17               *ing effects on curriculum and instruc-*  
18               *tion, effects on equity in the allocation*  
19               *of resources and opportunities, effects*  
20               *on equity of outcomes, effects on other*  
21               *procedures and standards for judging*  
22               *students and practitioners and possible*  
23               *inflation of test scores;*

24               *“(IX) identifying and evaluating*  
25               *how students with limited English lan-*

1            *guage proficiency and students with*  
2            *disabilities are included and accommo-*  
3            *dated in the various assessment pro-*  
4            *grams of State and local education*  
5            *agencies; and*

6            *“(X) the feasibility and validity*  
7            *of comparing or equating the results of*  
8            *different assessments;*

9            *“(ii) reflects recommendations made by*  
10          *the National Education Goals Panel (pro-*  
11          *vided such panel has been authorized by*  
12          *law);*

13          *“(iii) complies with the ‘Standards for*  
14          *Educational and Psychological Tests’ devel-*  
15          *oped by the American Psychological Asso-*  
16          *ciation, the National Council on Measure-*  
17          *ment in Education, and the American Edu-*  
18          *cational Research Association;*

19          *“(iv) is consistent with the ‘Criteria*  
20          *for Evaluation of Student Assessment Sys-*  
21          *tems’ developed by the National Forum on*  
22          *Assessment; and*

23          *“(v) complies with the ‘Code of Fair*  
24          *Testing Practices in Education’ developed*

1                   by the Joint Committee on Testing Prac-  
2                   tices.

3           *For purposes of this subparagraph, the term ‘develop-*  
4           *ment’ means the development of prototypes for the*  
5           *purposes of research and evaluation.*

6           “(h) NATIONAL INSTITUTE FOR POSTSECONDARY EDU-  
7    CATION, LIBRARIES, AND LIFELONG LEARNING.—

8           “(1) FINDINGS.—The Congress finds as follows:

9                   “(A) The American system of postsecondary  
10           education is foremost in the world in its achieve-  
11           ment of both academic excellence and equity in  
12           access, but maintaining that preeminence re-  
13           quires renewed efforts to strengthen the quality of  
14           postsecondary education. Disappointing student  
15           performance on achievement tests and licensure  
16           examinations, declining rates of persistence and  
17           completion among minorities, and other trou-  
18           bling trends in the quality of postsecondary edu-  
19           cation must be addressed by the Nation as part  
20           of its overall drive to improve American edu-  
21           cation.

22                   “(B) The need to improve our Nation’s eco-  
23           nomic productivity to meet the competitive chal-  
24           lenges of a new, international economy, coupled  
25           with high levels of mobility in the United States



1       *labor market and demographic changes in the*  
2       *workforce, now demands more and higher quality*  
3       *programs of learning and training in the Amer-*  
4       *ican workplace.*

5               “(C) *The more than 1,000,000 men and*  
6       *women incarcerated in the Nation’s prisons and*  
7       *jails are among the most severely educationally*  
8       *disadvantaged in the United States, with high*  
9       *rates of functional illiteracy and extremely low*  
10       *levels of educational attainment. Since an esti-*  
11       *mated 90 percent of these individuals are ex-*  
12       *pected to be released by the end of the decade, the*  
13       *Nation must act to assure that our correctional*  
14       *system has the means to equip these Americans*  
15       *with the knowledge and skills they will need to*  
16       *participate productively in our society.*

17               “(D) *The development of a ‘Nation of Stu-*  
18       *dents’ capable of and committed to the pursuit*  
19       *of formal and informal lifelong learning is essen-*  
20       *tial to sustain both national and individual eco-*  
21       *nomic success and to provide a nurturing envi-*  
22       *ronment in which all children and youth can*  
23       *learn and achieve. Historically the most effective*  
24       *community resource for lifelong learning, the Na-*  
25       *tion’s public library system must expand and re-*

1        *structure its delivery of services to take full ad-*  
2        *vantage of the potential of new information tech-*  
3        *nologies to meet the needs of learning commu-*  
4        *nities.*

5        *“(2) PURPOSE.—The purpose of the National In-*  
6        *stitute for Postsecondary Education, Libraries, and*  
7        *Lifelong Learning is to promote greater coordination*  
8        *of Federal research and development on issues related*  
9        *to adult learning and to carry out a program of re-*  
10       *search and development in adult learning to provide*  
11       *nonpartisan, research-based leadership to the Nation*  
12       *as it seeks to improve libraries, postsecondary edu-*  
13       *cation, and lifelong learning throughout the United*  
14       *States. Such program—*

15                *“(A) shall promote greater coordination, co-*  
16                *operation, and interaction among entities within*  
17                *the Federal Government which support research*  
18                *and development related to postsecondary edu-*  
19                *cation, libraries, and lifelong learning;*

20                *“(B) shall enable greater collaboration*  
21                *among entities within the Federal Government*  
22                *which support research and development related*  
23                *to postsecondary education, libraries, and life-*  
24                *long learning by supporting research and devel-*

1        *opment projects which are carried out jointly by*  
2        *such entities;*

3                *“(C) shall support research and develop-*  
4        *ment in those areas of postsecondary education,*  
5        *libraries, and lifelong learning which are not*  
6        *being addressed sufficiently by other entities*  
7        *within the Federal Government;*

8                *“(D) may include basic and applied re-*  
9        *search, development, replication, and evaluation*  
10       *activities in such areas as—*

11                *“(i) methods of assessing and evaluat-*  
12        *ing individual, program, and institutional*  
13        *performance;*

14                *“(ii) the uses and applications of new*  
15        *technologies to improve program effective-*  
16        *ness and enhance student learning;*

17                *“(iii) practices, policies, and programs*  
18        *which address the unique needs of adult*  
19        *learners, including—*

20                *“(I) institutional and classroom*  
21        *policies and practices at the post-*  
22        *secondary level necessary to improve*  
23        *matriculation, persistence, achievement*  
24        *and graduation by students who are*  
25        *economically disadvantaged, ethnic*

1                   *and racial minorities, women, older,*  
2                   *working, and who have children;*

3                   “(II) instructional practices and  
4                   *programs which are effective in correc-*  
5                   *tional settings;*

6                   “(III) new models of service deliv-  
7                   *ery for public library systems which*  
8                   *expand opportunities for lifelong learn-*  
9                   *ing;*

10                  “(IV) effective programs and ap-  
11                  *proaches which promote greater access*  
12                  *to and success by minorities in post-*  
13                  *secondary programs which prepare*  
14                  *them for scientific, technical, teaching,*  
15                  *and health career fields;*

16                  “(V) effective approaches to work-  
17                  *based learning; and*

18                  “(VI) the most effective training  
19                  *methods for adults to upgrade edu-*  
20                  *cation and vocational skills;*

21                  “(iv) the effectiveness of Historically  
22                  *Black Colleges and Universities, Tribally-*  
23                  *Controlled Indian Community Colleges,*  
24                  *women’s colleges, and other special mission*  
25                  *institutions in fulfilling their mission of*

1 *providing access and equal opportunity in*  
2 *higher education;*

3 “(v) *the quality of higher education at*  
4 *all levels and the roles and responsibilities*  
5 *of regional and national accrediting agen-*  
6 *cies in assuring the quality and relevance of*  
7 *academic goals and objectives established by*  
8 *institutions of higher education;*

9 “(vi) *approaches to improving the pro-*  
10 *ductivity of colleges, community colleges,*  
11 *universities, and other postsecondary insti-*  
12 *tutions;*

13 “(vii) *financial barriers to postsecond-*  
14 *ary educational opportunity, including—*

15 “(I) *the role of Federal programs*  
16 *authorized under title IV of the Higher*  
17 *Education Act and State grant and*  
18 *work programs in mitigating such bar-*  
19 *riers;*

20 “(II) *the impact of the rising total*  
21 *cost of postsecondary education on ac-*  
22 *cess to higher education; and*

23 “(III) *the extent and impact of*  
24 *student reliance on loans to meet the*  
25 *costs of higher education;*

1           “(viii) opportunities for adults to con-  
2           tinue their education beyond higher edu-  
3           cation and graduate school, in the context of  
4           lifelong learning and information-finding  
5           skills; and

6           “(ix) preparing students for a lifetime  
7           of work, the ability to adapt through re-  
8           training to the changing needs of the work  
9           force and the ability to learn new tasks.

10          “(3) INVOLVEMENT OF CERTAIN AGENCIES AND  
11          ORGANIZATIONS.—In promoting coordination and  
12          collaboration on research and development on issues  
13          related to postsecondary education, libraries, and life-  
14          long learning, the Institute shall, as appropriate, seek  
15          the involvement of—

16               “(A) within the Department of Education—

17                   “(i) the Office of Library Programs;

18                   “(ii) the Office of Correctional Edu-  
19                   cation;

20                   “(iii) the Office of Vocational and  
21                   Adult Education;

22                   “(iv) the National Institute on Disabil-  
23                   ity and Rehabilitation Research; and

24                   “(v) the Office of Postsecondary Edu-  
25                   cation;

1                   “(B) the National Institute for Literacy;

2                   “(C) the National Board for Professional  
3           Teaching Standards;

4                   “(D) the Employment and Training Ad-  
5           ministration of the Department of Labor;

6                   “(E) the Administration for Children and  
7           Families within the Department of Health and  
8           Human Services;

9                   “(F) the National Institutes of Health;

10                  “(G) the National Endowment for Human-  
11           ities;

12                  “(H) the National Endowment for the Arts;

13                  “(I) the Bureau of Prisons of the Depart-  
14           ment of Justice;

15                  “(J) the Department of Commerce;

16                  “(K) the Department of Defense; and

17                  “(L) the Office of Indian Education Pro-  
18           grams of the Department of the Interior.

19                  “(4) In addition to the responsibilities described  
20           in paragraph (2), the Assistant Secretary shall ensure  
21           that the activities of the existing National Center on  
22           Literacy are fully coordinated with those of the Na-  
23           tional Institute for Literacy.

24                  “(i) COORDINATION OF RESEARCH ON CROSS-CUTTING  
25           ISSUES.—The Assistant Secretary shall promote the coordi-

1 nation of research and development activities among the In-  
 2 stitutes established by subsection (a) to investigate those  
 3 cross-cutting disciplines and areas of inquiry, such as as-  
 4 sessment, the use of technology and the training of teachers  
 5 and school administrators, which are relevant to the mis-  
 6 sions of more than one of the Institutes. Such activities  
 7 shall—

8           “(1) address cross-cutting disciplines and areas  
 9 of inquiry which have been proposed by the Assistant  
 10 Secretary and are consistent with the research prior-  
 11 ities identified by the Board;

12           “(2) be carried out jointly (1) by any one of the  
 13 Institutes and—

14                   “(A) one (or more) of the Institutes;

15                   “(B) the National Center for Education  
 16 Statistics; or

17                   “(C) any research and development entity  
 18 administered by other offices of the Department  
 19 of Education or by any other Federal agency or  
 20 Department; and

21           “(3) meet all the standards set by the Assistant  
 22 Secretary and the Board for other research and devel-  
 23 opment conducted by the Office.

24           “(j) PROGRAM ON TEACHING AND TEACHER EDU-  
 25 CATION.—



1           “(1) *IN GENERAL.*—*The Assistant Secretary, in*  
2           *accordance with the requirements of this subsection,*  
3           *shall undertake a comprehensive, coordinated pro-*  
4           *gram of research in the area of teaching, teacher edu-*  
5           *cation, and professional development.*

6           “(2) *CERTAIN PURPOSES OF PROGRAM.*—*In car-*  
7           *rying out the program established under paragraph*  
8           *(1), the Assistant Secretary shall conduct, directly or*  
9           *through grants and contracts, basic and applied re-*  
10          *search and analytical activities to further knowledge*  
11          *about, make recommendations, and improve—*

12               “(A) *the ability of classroom teachers and*  
13               *schools to assist new and diverse populations of*  
14               *students in successfully assimilating into the*  
15               *classroom environment;*

16               “(B) *the working conditions of teachers and*  
17               *other educational practitioners, which may in-*  
18               *clude such topics as—*

19                       “(i) *teacher isolation;*

20                       “(ii) *professional resources available to*  
21                       *teachers;*

22                       “(iii) *continuing educational and pro-*  
23                       *fessional opportunities available to teachers;*

24                       “(iv) *physical facilities and equipment,*  
25                       *such as office space, telephone, computer ac-*

1           *cess, and fax machines and television cable*  
2           *access available to teachers in the work en-*  
3           *vironment;*

4           “(v) *opportunities for teachers to share*  
5           *information and resources with other teach-*  
6           *ers and education professionals;*

7           “(vi) *opportunities for advanced learn-*  
8           *ing experience; and*

9           “(vii) *the reduction of stress in the*  
10          *teaching profession;*

11          “(C) *institutional program renewal and in-*  
12          *struction;*

13          “(D) *restructuring of State certification of*  
14          *teachers and teacher education standards; and*

15          “(E) *assisting in the development of teacher*  
16          *certification standards by Indian tribal depart-*  
17          *ments of education.*

18          “(3) *CERTAIN ACTIVITIES.—In carrying out the*  
19          *program established under paragraph (1), the Assist-*  
20          *ant Secretary—*

21                 “(A) *shall work with institutions of higher*  
22                 *education engaged in the preparation of teachers*  
23                 *and professional organizations of teacher edu-*  
24                 *cators and practitioners to encourage institu-*  
25                 *tional program renewal and restructuring;*

1           “(B) may conduct, directly or through  
2           grants and contracts research on—

3                   “(i) effective and reflective teaching for  
4                   the preparation and continuing education  
5                   of teachers;

6                   “(ii) the use of computing and multi-  
7                   made technology to advance the understand-  
8                   ing and abilities of teacher educators and  
9                   classroom teachers;

10                  “(iii) the development and appraisal of  
11                  curriculum and curriculum materials for  
12                  the initial and continuing education of  
13                  teachers and teacher educators; and

14                  “(iv) strengthening the evaluation and  
15                  dissemination of information on programs  
16                  for continuing professional education and  
17                  renewal of those who educate teachers for  
18                  initial or advanced licensure or certifi-  
19                  cation; and

20                  “(C) shall work with the national regional  
21                  education laboratories, the ERIC clearinghouses,  
22                  national education research library, and the Na-  
23                  tional Center for Education Statistics to maxi-  
24                  mize information available, to prevent unneces-  
25                  sary duplication of efforts and resources, and to

1           *ensure the results of the centers work are widely*  
2           *available.*

3           “(k) *RESEARCH ON EDUCATIONAL TECHNOLOGY.—*  
4           *The Assistant Secretary shall undertake a comprehensive,*  
5           *coordinated program of research and development in the*  
6           *area of the uses and applications of technology in education.*  
7           *Such program—*

8                   “(1) *may support basic and applied research*  
9                   *and development, analysis, evaluation in the area of*  
10                  *the uses and applications of technology to education,*  
11                  *including—*

12                           “(A) *the capabilities of current and emerg-*  
13                           *ing technologies and their possible uses in edu-*  
14                           *cation;*

15                           “(B) *the uses and applications of tech-*  
16                           *nology—*

17                                   “(i) *to improve instruction within all*  
18                                   *content areas in the school curriculum;*

19                                   “(ii) *to educate more effectively at-risk*  
20                                   *students and other students with special*  
21                                   *needs;*

22                                   “(iii) *to improve education in rural*  
23                                   *communities and other remote areas;*

24                                   “(iv) *to improve the assessment of stu-*  
25                                   *dent learning and achievement;*

1                   “(v) to deliver preservice and inservice  
2                   training for teachers, librarians, and school  
3                   administrators; and

4                   “(vi) to deliver and improve profes-  
5                   sional development and continuing edu-  
6                   cation programs;

7                   “(C) the cost and educational effectiveness of  
8                   technologies used in education;

9                   “(D) effective models and approaches for  
10                  providing the preservice and inservice training  
11                  and technical assistance necessary to enable  
12                  teachers, librarians, and school administrators,  
13                  cultural organizations, and others to use tech-  
14                  nology effectively in education;

15                  “(E) the identification of barriers to greater  
16                  use of technologies in education and potential  
17                  approaches to eradicating or mitigating such  
18                  barriers;

19                  “(F) methods and approaches which can be  
20                  utilized by teachers, school administrators, and  
21                  education policymakers, and educational pro-  
22                  grams in cultural institutions to evaluate the  
23                  quality and most appropriate uses of software  
24                  and other technologies designed for use in edu-  
25                  cation; and

1           “(G) approaches to organizing and manag-  
2           ing schools and classrooms to make the most ef-  
3           fective use of technology in education; and

4           “(2) shall be coordinated with related research  
5           and development activities undertaken by the Office of  
6           Special Education Programs, the National Science  
7           Foundation, the Department of Defense, and other  
8           Federal agencies.

9           “(I) TRANSITIONAL PROVISIONS.—

10           “(1) TEMPORARY REORGANIZATIONS.—Upon the  
11           enactment of the Educational Research, Development  
12           and Dissemination Excellence Act, the Secretary shall  
13           reorganize the research and development functions  
14           and activities of the Office into administrative units  
15           the purposes of which shall be the same as those for  
16           each of the national research institutes established in  
17           subsection (a). Such administrative units shall be re-  
18           sponsible for planning and providing for the estab-  
19           lishment of such institutes and shall cease to exist on  
20           the dates upon which each of the relevant institutes  
21           is established. The provisions of subsection (c) (relat-  
22           ing to authorities and duties) shall apply to all ac-  
23           tivities undertaken by each such administrative unit.

24           “(2) DATES FOR ESTABLISHMENT OF INSTI-  
25           TUTES.—The National Institute for the Education of

1     *At-Risk Students, the National Institute for Innova-*  
 2     *tion in Educational Governance, Finance, Policy-*  
 3     *Making, and Management, the National Institute for*  
 4     *Early Childhood Development and Education, the*  
 5     *National Institute on Student Achievement, and the*  
 6     *National Institute on Postsecondary Education, Li-*  
 7     *braries, and Lifelong Learning shall each be estab-*  
 8     *lished effective October 1, 1994.”.*

9     **PART D—NATIONAL EDUCATION DISSEMINATION**  
 10                   **SYSTEM**

11    **SEC. 241. ESTABLISHMENT WITHIN OFFICE OF EDU-**  
 12                   **CATIONAL RESEARCH AND IMPROVEMENT.**

13     *Part A of the General Education Provisions Act, as*  
 14     *amended by section 231 of this Act, is amended by inserting*  
 15     *after section 405B the following new section:*

16            “NATIONAL EDUCATION DISSEMINATION SYSTEM

17            “SEC. 405C. (a) IN GENERAL.—

18                    “(1) FINDINGS.—The Congress finds as follows:

19                            “(A) In order to improve the American edu-

20                            *cational system for all students, achieve the na-*

21                            *tional education goals, and provide for greater*

22                            *educational equity, policymakers, administra-*

23                            *tors, teachers, and parents must have ready ac-*

24                            *cess to the best information and methods avail-*

25                            *able as a result of educational research and de-*

26                            *velopment.*

1           “(B) The Office of Educational Research  
2           and Improvement should have as one of its pri-  
3           mary purposes the dissemination of such infor-  
4           mation and methods in order to assist the na-  
5           tional education reform effort.

6           “(C) All current resources within the Office,  
7           the Department, and other agencies that can help  
8           accomplish this goal should be coordinated by the  
9           Assistant Secretary so as to form a systematic  
10          process to accomplish these objectives.

11          “(D) Education research has the capacity to  
12          improve teaching and learning in our Nation’s  
13          schools, however, teachers need training in the  
14          developmental skills necessary to translate re-  
15          search into practice and to allow them to become  
16          a cadre of knowledgeable practitioners and lead-  
17          ers in educational improvement.

18          “(E) Adequate linkages between research  
19          and development providers and practitioners are  
20          essential to ensuring that research on effective  
21          practice is useful, disseminated and supported  
22          with technical assistance to all educators, and  
23          that all educators are partners in the research  
24          and development process.



1           “(2) *PURPOSE.*—*The purpose of this section is*  
2     *to—*

3                     “(A) *create a national system of dissemina-*  
4     *tion, development, and educational improvement*  
5     *in order to create, adapt, identify, validate, and*  
6     *disseminate to educators, parents, and policy-*  
7     *makers those educational programs that have po-*  
8     *tential or have been shown to improve edu-*  
9     *cational opportunities for all students; and*

10                    “(B) *empower and increase the capacity of*  
11     *teachers to participate in the research and devel-*  
12     *opment process.*

13           “(3) *DEFINITION OF EDUCATIONAL PROGRAM.*—  
14     *For the purposes of this section, the term ‘educational*  
15     *program’ includes educational policies, research find-*  
16     *ings, practices, and products.*

17           “(b) *ESTABLISHMENT OF OFFICE.*—

18                    “(1) *IN GENERAL.*—*There is established within*  
19     *the Office an Office of Reform Assistance and Dis-*  
20     *semination (in this section referred to as the ‘Dis-*  
21     *semination Office’)* *through which the Secretary shall*  
22     *carry out all functions and activities described in this*  
23     *section.*

24                    “(2) *CERTAIN DUTIES.*—*The Dissemination Of-*  
25     *fice shall—*

1           “(A) identify educational programs that  
2           may merit being designated as exemplary or  
3           promising educational programs;

4           “(B) based solely on the educational merits  
5           and promise of such programs, select those to be  
6           designated as exemplary or promising;

7           “(C) provide technical and financial assist-  
8           ance to individuals and organizations in the  
9           process of developing promising educational pro-  
10          grams in the priority areas identified in section  
11          405(b)(3), but who might not, without such as-  
12          sistance, be able to complete necessary develop-  
13          ment and assessment activities;

14          “(D) nationally disseminate information re-  
15          garding the exemplary and promising programs  
16          to educators, parents, and policymakers through  
17          a variety of means, including existing Depart-  
18          ment activities, education associations and net-  
19          works, and communication technologies;

20          “(E) provide training and technical assist-  
21          ance regarding the implementation and adoption  
22          of such exemplary and promising programs by  
23          interested entities; and

24          “(F) carry out a program of research on  
25          models for successful knowledge dissemination,

1           *and utilization, and strategies for reaching edu-*  
2           *cation policymakers, practitioners, and others*  
3           *interested in education.*

4           “(3) *ADDITIONAL DUTIES.—The Dissemination*  
5           *Office shall carry out and contain the following func-*  
6           *tions and activities:*

7                   “(A) *A process for the identification of edu-*  
8                   *cational programs that work.*

9                   “(B) *The educational resources information*  
10                  *clearinghouses.*

11                  “(C) *Dissemination through new tech-*  
12                  *nologies.*

13                  “(D) *Smartline.*

14                  “(E) *The regional educational laboratories.*

15                  “(F) *Teacher Research Dissemination Net-*  
16                  *work.*

17                  “(G) *The Goals 2000 Community Partner-*  
18                  *ships Program.*

19                  “(H) *The existing National Diffusion Net-*  
20                  *work and its Developer-Demonstrator and State*  
21                  *Facilitator projects.*

22                  “(I) *Such other programs or entities the*  
23                  *Secretary determines are consistent with the pur-*  
24                  *poses for which the Dissemination Office is es-*  
25                  *tablished.*

1       “(c) *IDENTIFICATION OF PROGRAMS.*—

2               “(1) *IN GENERAL.*—*The Assistant Secretary*  
3       *shall establish a process through which successful edu-*  
4       *cational programs are actively sought out for possible*  
5       *dissemination through the national educational dis-*  
6       *semination system. Such process shall, at a mini-*  
7       *mum, have the capability to—*

8               “(A) *work closely with the research insti-*  
9       *tutes, centers, regional educational laboratories,*  
10       *the National Diffusion Network and its Devel-*  
11       *oper-Demonstrator and State Facilitator*  
12       *projects, learning grant institutions established*  
13       *under the Goals 2000 Community Partnerships*  
14       *Program, department-supported technical assist-*  
15       *ance providers, and other entities to identify suc-*  
16       *cessful educational programs at the regional,*  
17       *State, local, or classroom level;*

18               “(B) *review successful educational programs*  
19       *supported by the Department through all of its*  
20       *programs, including Chapter 1, Even Start,*  
21       *Drug-Free Schools and Communities Act of*  
22       *1986, the Individuals With Disabilities Edu-*  
23       *cation Act, Bilingual Education, Indian Edu-*  
24       *cation, the Women’s Educational Equity Act,*  
25       *and Adult and Vocational Education;*

1           “(C) through cooperative agreements, review  
2           for possible inclusion in the system educational  
3           programs administered by the Departments of  
4           Health and Human Services (particularly the  
5           Head Start program), Labor and Defense, the  
6           National Science Foundation, the Department of  
7           the Interior (particularly the Office of Indian  
8           Education Programs), and any other appro-  
9           priate Federal agency; and

10           “(D) provide for an active outreach effort to  
11           identify successful educational programs through  
12           cooperative arrangements with State and local  
13           education agencies, teachers and teacher organi-  
14           zations, curriculum associations, foundations,  
15           private schools, institutions of higher education,  
16           and other entities that could enhance the ability  
17           of the Secretary to identify programs for possible  
18           inclusion in the dissemination system.

19           “(2) *PRIORITY PROGRAMS.*—In carrying out this  
20           subsection, the Secretary shall place a priority on  
21           identifying programs, products, and practices related  
22           to the priority research and development needs identi-  
23           fied in section 405(b)(3).

24           “(d) *DESIGNATION OF EXEMPLARY AND PROMISING*  
25           *PROGRAMS.*—

1           “(1) *IN GENERAL.*—*The Assistant Secretary, in*  
2           *consultation with the Board, shall establish 1 or more*  
3           *panels of appropriately qualified experts and practi-*  
4           *tioners to—*

5                   “(A) *evaluate educational programs that*  
6                   *have been identified by the Secretary under sub-*  
7                   *section (c) or that have been submitted to the*  
8                   *Secretary for such evaluation by some other indi-*  
9                   *vidual or organization; and*

10                   “(B) *recommend to the Secretary programs*  
11                   *that should be designated as exemplary or prom-*  
12                   *ising educational programs.*

13           “(2) *CONSIDERATIONS IN MAKING RECOMMENDA-*  
14           *TIONS.*—*In determining whether an educational pro-*  
15           *gram should receive a recommendation under para-*  
16           *graph (1), a panel established under such paragraph*  
17           *shall consider—*

18                   “(A) *whether, based on empirical data,*  
19                   *which may include but shall not be limited to*  
20                   *test results, the program is effective and should*  
21                   *thus be designated as exemplary and dissemi-*  
22                   *nated through the national dissemination sys-*  
23                   *tem; or*

24                   “(B) *whether there is sufficient evidence to*  
25                   *lead a panel of experts and practitioners to be-*

1        *lieve that the program shows promise for im-*  
2        *proving student achievement and should thus be*  
3        *designated as promising and disseminated*  
4        *through the national dissemination system while*  
5        *it continues to be evaluated.*

6        *“(3) REQUIREMENT REGARDING APPROVAL OF*  
7        *PROGRAMS.—In seeking out programs for approval*  
8        *under paragraph (2), the Assistant Secretary shall*  
9        *seek programs that may be implemented at the State,*  
10       *local, and classroom level.*

11       *“(4) REQUIREMENTS REGARDING PANELS.—*

12                *“(A) A panel shall not eliminate a program*  
13        *from consideration under this subsection based*  
14        *solely on the fact that it does not have one spe-*  
15        *cific type of supporting data, such as test scores.*

16                *“(B) The Assistant Secretary may not des-*  
17        *ignate a program as exemplary or promising*  
18        *unless a panel established under paragraph (1)*  
19        *has recommended that the program be so des-*  
20        *ignated.*

21                *“(C) The Secretary shall establish such pan-*  
22        *els under paragraph (1) as may be necessary to*  
23        *ensure that each program identified or submitted*  
24        *for evaluation is evaluated.*

1           “(D) Not less than  $\frac{2}{3}$  of the membership of  
2           a panel established under paragraph (1) shall  
3           consist of individuals who are not officers or em-  
4           ployees of the United States. Members of panels  
5           under paragraph (1) who are not employees of  
6           the United States shall receive compensation for  
7           each day engaged in carrying out the duties of  
8           the panel as well as compensation for their ex-  
9           penses.

10          “(e) *DISSEMINATION OF EXEMPLARY AND PROMISING*  
11 *PROGRAMS.*—

12           “(1) *IN GENERAL.*—In order to ensure that pro-  
13           grams identified as exemplary or promising are  
14           available for adoption by the greatest number of  
15           teachers, schools, local and State education agencies,  
16           and Bureau of Indian Affairs-funded schools, the As-  
17           sistant Secretary shall utilize the capabilities of—

18                   “(A) the education resources information  
19                   clearinghouses;

20                   “(B) Smartline;

21                   “(C) the regional educational laboratories;

22                   “(D) the National Diffusion Network;

23                   “(E) entities established under the Goals  
24                   2000 Community Partnerships Program;



1           “(F) department-supported technical assist-  
2           ance providers;

3           “(G) the National Library of Education;  
4           and

5           “(H) other public and private nonprofit en-  
6           tities, including existing education associations  
7           and networks, that have the capability to assist  
8           educators in adopting exemplary and promising  
9           programs.

10          “(2) REQUIREMENTS FOR ASSISTANT SEC-  
11          RETARY.—In carrying out paragraph (1), the Assist-  
12          ant Secretary shall ensure that all such entities are—

13               “(A) kept apprised of the availability of  
14               specific programs for dissemination;

15               “(B) provided technical assistance, if nec-  
16               essary, to carry out this dissemination function;  
17               and

18               “(C) involved in the national education dis-  
19               semination system as specified by law.

20          “(f) EDUCATION RESOURCES INFORMATION CLEAR-  
21          INGHOUSES.—

22               “(1) IN GENERAL.—The Assistant Secretary  
23               shall establish a system of 16 education resource in-  
24               formation clearinghouses having, at a minimum, the  
25               functions and scope of work as the clearinghouses had

1       on the date of the enactment of the Educational Re-  
2       search, Development, and Dissemination Excellence  
3       Act.

4               “(2) *ADDITIONAL FUNCTIONS.*—In addition to  
5       those functions already being carried out by the clear-  
6       inghouses, such clearinghouses may—

7                   “(A) periodically produce interpretive sum-  
8       maries, digests, and syntheses of the results and  
9       findings of education-related research and devel-  
10      opment; and

11                  “(B) contain and make available to users  
12      information concerning those programs des-  
13      ignated as exemplary and promising under sub-  
14      section (c).

15               “(3) *COORDINATION OF ACTIVITIES.*—The Assist-  
16      ant Secretary shall assure that the functions and ac-  
17      tivities of such clearinghouses are coordinated with  
18      the activities of the research institutes, the regional  
19      educational laboratories, learning grant institutions,  
20      other clearinghouses supported by the Department, the  
21      National Diffusion Network, and other appropriate  
22      entities within the Office and the Department.

23               “(4) *SPECIAL RESPONSIBILITIES OF THE SEC-*  
24      *RETARY.*—To assure that the information provided

1       *through such clearinghouses is fully comprehensive,*  
2       *the Secretary shall—*

3               “(A) *require that all reports, studies, and*  
4               *other resources produced directly or by grant or*  
5               *contract with the Department of Education are*  
6               *made available to clearinghouses;*

7               “(B) *establish cooperative agreements with*  
8               *the Departments of Defense, Health and Human*  
9               *Services, Interior, and other Federal agencies to*  
10              *assure that all education-related reports, studies,*  
11              *and other resources produced directly or by grant*  
12              *or contract with the Federal Government are*  
13              *made available to such clearinghouses; and*

14              “(C) *devise an effective system for maximiz-*  
15              *ing the identification, synthesis, and dissemina-*  
16              *tion of information related to the needs of Indian*  
17              *and Alaska Native children.*

18              “(5) *COPYRIGHT PROHIBITED.—*

19              “(A) *No clearinghouse or other entity re-*  
20              *ceiving assistance under this subsection may*  
21              *copyright or otherwise charge a royalty or other*  
22              *fee that—*

23                      “(i) *is for the use or redissemination of*  
24                      *any database, index, abstract, report, or*

1            *other information produced with assistance*  
 2            *under this subsection; and*

3            *“(ii) exceeds the incremental cost of*  
 4            *disseminating such information.*

5            *“(B) For purposes of subparagraph (A), the*  
 6            *incremental cost of dissemination does not in-*  
 7            *clude any portion of the cost of collecting, orga-*  
 8            *nizing, or processing the information which is*  
 9            *disseminated.*

10          *“(g) DISSEMINATION THROUGH NEW TECH-*  
 11 *NOLOGIES.—*

12            *“(1) IN GENERAL.—The Assistant Secretary is*  
 13            *authorized to award grants or contracts in accordance*  
 14            *with this subsection to support the development of*  
 15            *materials, programs, and resources which utilize new*  
 16            *technologies and techniques to synthesize and dissemi-*  
 17            *nate research and development findings and other in-*  
 18            *formation which can be used to support educational*  
 19            *improvement.*

20            *“(2) SOURCES OF MATERIALS AND RESEARCH*  
 21            *ABOUT TEACHING AND LEARNING FOR IMPROVING NA-*  
 22            *TIONWIDE EDUCATION (SMARTLINE).—*

23            *“(A) ELECTRONIC NETWORK.—The Assist-*  
 24            *ant Secretary, acting through the Office of Re-*  
 25            *form Assistance and Dissemination, shall estab-*

1        *lish and maintain an electronic network which*  
2        *shall, at a minimum, link—*

3                *“(i) each office of the Department of*  
4                *Education;*

5                *“(ii) the research institutes established*  
6                *by section 405B;*

7                *“(iii) the National Center for Edu-*  
8                *cation Statistics;*

9                *“(iv) the National Library of Edu-*  
10               *cation; and*

11               *“(v) entities engaged in research, devel-*  
12               *opment, dissemination, and technical assist-*  
13               *ance under grant, contract, or cooperative*  
14               *agreement with the Department of Edu-*  
15               *cation.*

16               *“(B) CERTAIN REQUIREMENTS FOR NET-*  
17               *WORK.—The network described in subparagraph*  
18               *(A) shall—*

19               *“(i) to the extent feasible, build upon*  
20               *existing national, regional, and State elec-*  
21               *tronic networks and support video,*  
22               *telecomputing, and interactive communica-*  
23               *tions;*

1           “(ii) at a minimum, have the capabil-  
2           ity to support electronic mail and file  
3           transfer services;

4           “(iii) be linked to and accessible to  
5           other users, including State and local edu-  
6           cation agencies, institutions of higher edu-  
7           cation, museums, libraries, and others  
8           through the Internet and the National Re-  
9           search and Education Network; and

10          “(iv) be provided at no cost (excluding  
11          the costs of necessary hardware) to the con-  
12          tractors and grantees described in clause (v)  
13          of subparagraph (A) and to educational in-  
14          stitutions accessing such network through  
15          the Internet and the National Research and  
16          Education Network.

17          “(C) INFORMATION RESOURCES.—The As-  
18          sistant Secretary, acting through the Office of  
19          Reform Assistance and Dissemination, may  
20          make available through the network described in  
21          subparagraph (A)—

22          “(i) information about grant and con-  
23          tract assistance available through the de-  
24          partment;

1           “(ii) *an annotated directory of current*  
2           *research and development activities and*  
3           *projects being undertaken with the assist-*  
4           *ance of the Department;*

5           “(iii) *information about publications*  
6           *published by the Department and, to the ex-*  
7           *tent feasible, the full text of such publica-*  
8           *tions;*

9           “(iv) *statistics and data published by*  
10          *the National Center for Education Statis-*  
11          *tics;*

12          “(v) *syntheses of research and develop-*  
13          *ment findings;*

14          “(vi) *a directory of other education-re-*  
15          *lated electronic networks and databases, in-*  
16          *cluding information about the means by*  
17          *which they may be accessed;*

18          “(vii) *a descriptive listing of materials*  
19          *and courses of instruction provided by tele-*  
20          *communications partnerships assisted under*  
21          *the Star Schools program;*

22          “(viii) *resources developed by the*  
23          *ERIC Clearinghouses;*

1           “(ix) education-related software (in-  
2           cluding video) which is in the public do-  
3           main;

4           “(x) a listing of instructional mate-  
5           rials available through telecommunications  
6           to local education agencies through the Pub-  
7           lic Broadcasting Service and State edu-  
8           cational television networks; and

9           “(xi) such other information and re-  
10          sources the Assistant Secretary considers  
11          useful and appropriate.

12          “(D) EVALUATIONS REGARDING OTHER  
13          FUNCTIONS OF NETWORK.—The Assistant Sec-  
14          retary shall also undertake projects to test and  
15          evaluate the feasibility of using the network de-  
16          scribed in subparagraph (A) for—

17               “(i) the submission of applications for  
18               assistance to the Department; and

19               “(ii) the collection of data and other  
20               statistics through the National Center for  
21               Education Statistics.

22          “(E) TRAINING AND TECHNICAL ASSIST-  
23          ANCE.—The Assistant Secretary, acting through  
24          the Office of Reform Assistance and Dissemina-  
25          tion, shall—



1           “(i) provide such training and tech-  
2           nical assistance as may be necessary to en-  
3           able the contractors and grantees described  
4           in clause (v) of subparagraph (A) to par-  
5           ticipate in the electronic network described  
6           in such subparagraph; and

7           “(ii) work with the National Science  
8           Foundation to provide, upon request, assist-  
9           ance to State and local education agencies,  
10          the Department of the Interior’s Office of  
11          Indian Education Programs, tribal depart-  
12          ments of education, State library agencies,  
13          libraries, museums, and other educational  
14          institutions in obtaining access to the  
15          Internet and the National Research and  
16          Education Network.

17       “(h) REGIONAL EDUCATIONAL LABORATORIES.—

18           “(1) REGIONAL EDUCATIONAL LABORATORIES.—  
19       The Assistant Secretary shall enter into contracts  
20       with public or private nonprofit entities to establish  
21       a networked system of 10 regional educational labora-  
22       tories which serve the needs of each region of the Na-  
23       tion in accordance with the provisions of this sub-  
24       section. For the purposes of this subsection, the term  
25       ‘region’ means 1 of the 10 geographic regions set forth

1       in section 2(a) of part 707 of title 34, Code of Federal  
2       Regulations (34 CFR 707.2(a)), as published in num-  
3       ber 157 of volume 53 of the Federal Register on Au-  
4       gust 15, 1988.

5           “(2) DUTIES.—Each regional educational lab-  
6       oratory receiving assistance under this subsection  
7       shall, with such assistance, assist State education  
8       agencies, intermediate education agencies, local school  
9       districts, and schools funded by the Bureau of Indian  
10      Affairs in implementing broad-based, systemic school  
11      improvement strategies through the use of applied re-  
12      search and development activities. The regional edu-  
13      cational laboratories shall support such system-wide  
14      reform efforts through—

15           “(A) the development of a plan for identify-  
16      ing needs and for serving the needs of the region  
17      by conducting a continuing survey of the edu-  
18      cational needs, strengths and weaknesses within  
19      the region, including a process of open hearings  
20      to solicit the views of schools, teachers, adminis-  
21      trators, parents, local educational agencies, li-  
22      brarians, and State educational agencies within  
23      the region;

24           “(B) the dissemination of information about  
25      programs designated as exemplary and promis-

1           *ing under subsection (c) and other appropriate*  
2           *programs and practices;*

3           *“(C) the provision of support and technical*  
4           *assistance in—*

5                     *“(i) replicating and adapting such ex-*  
6                     *emplary and promising practices;*

7                     *“(ii) the development of high-quality,*  
8                     *challenging curriculum frameworks;*

9                     *“(iii) the development of valid, reliable,*  
10                    *fair systems of assessment which are based*  
11                    *upon State, local, or Bureau of Indian Af-*  
12                    *fairs-funded school curriculum frameworks*  
13                    *and reflect recent advances in the field of*  
14                    *educational assessment;*

15                    *“(iv) the improvement of professional*  
16                    *development strategies to assure that all*  
17                    *teachers are prepared to teach a challenging*  
18                    *curriculum;*

19                    *“(v) expanding and improving the use*  
20                    *of technology in education to improve teach-*  
21                    *ing and learning;*

22                    *“(vi) the development of alternatives*  
23                    *for restructuring school finance systems to*  
24                    *promote greater equity in the distribution of*  
25                    *resources; and*

1           “(vii) the development of alternative  
2           administrative structures which are more  
3           conducive to planning, implementing, and  
4           sustaining school reform and improved edu-  
5           cational outcomes;

6           “(D) the development of educational pro-  
7           grams and practices that address State, regional,  
8           or Indian tribal needs in relating to their school  
9           reform efforts;

10          “(E) facilitating communication between  
11          educational experts, school officials, and teachers,  
12          parents, and librarians, to enable such individ-  
13          uals to assist schools to develop a plan to meet  
14          the national education goals;

15          “(F) bringing teams of experts together to  
16          develop and implement school improvement  
17          plans and strategies;

18          “(G) the provision of training in—

19               “(i) the field of education research and  
20               related areas;

21               “(ii) the use of new educational meth-  
22               ods; and

23               “(iii) the use of information-finding  
24               methods, practices, techniques, and products  
25               developed in connection with such training

1           *for which the regional educational labora-*  
2           *tory shall be authorized to support intern-*  
3           *ships and fellowships and to provide sti-*  
4           *pends; and*

5           *“(H) the provision of support and technical*  
6           *assistance (upon their request) to State*  
7           *facilitators funded through the National Diffu-*  
8           *sion Network.*

9           *“(3) NETWORKING.—In order to improve the ef-*  
10          *iciency and effectiveness of the regional laboratories,*  
11          *the governing boards of the ten regional laboratories*  
12          *shall establish and maintain a network to—*

13                *“(A) share information about the activities*  
14                *each is carrying out;*

15                *“(B) plan joint activities that would meet*  
16                *the needs of multiple regions;*

17                *“(C) create a strategic plan for the develop-*  
18                *ment of activities undertaken by the laboratories*  
19                *to reduce redundancy and increase collaboration*  
20                *and resource-sharing in such activities; and*

21                *“(D) otherwise devise means by which the*  
22                *work of the individual laboratories could serve*  
23                *national, as well as regional, needs.*

1           “(4) *ADDITIONAL DUTIES.*—*Each regional edu-*  
2           *cation laboratory receiving assistance under this sub-*  
3           *section shall carry out the following activities:*

4                   “(A) *Collaborate with the Institutes estab-*  
5                   *lished under section 405B in order to—*

6                           “(i) *maximize the use of research con-*  
7                           *ducted through the Institutes in the work of*  
8                           *such laboratory;*

9                           “(ii) *keep the Institutes apprised of the*  
10                          *work of the regional educational labora-*  
11                          *tories in the field; and*

12                          “(iii) *inform the Institutes about addi-*  
13                          *tional research needs identified in the field.*

14                   “(B) *Consult with the State educational*  
15                   *agencies and library agencies in the region in*  
16                   *developing the plan for serving the region.*

17                   “(C) *Develop strategies to utilize schools as*  
18                   *critical components in reforming education and*  
19                   *revitalizing rural communities in the United*  
20                   *States.*

21                   “(D) *Report and disseminate information*  
22                   *on overcoming the obstacles faced by rural edu-*  
23                   *cators and rural schools.*

24                   “(E) *Identify successful educational pro-*  
25                   *grams that have either been developed by such*

1        *laboratory in carrying out its functions or that*  
2        *have been developed or used by others within the*  
3        *region served by the laboratory and make such*  
4        *information available to the Secretary and the*  
5        *network of regional laboratories so that they may*  
6        *be considered for inclusion in the national edu-*  
7        *cation development and dissemination system.*

8        “(5) CERTAIN REQUIREMENTS.—*In carrying out*  
9        *its responsibilities, each regional educational labora-*  
10       *tory shall—*

11                “(A) *establish a governing board that—*

12                        “(i) *is the sole entity that—*

13                                “(I) *guides and directs the labora-*  
14                                *tory in carrying out the provisions of*  
15                                *this subsection and satisfying the terms*  
16                                *and conditions of the contract award;*  
17                                *and*

18                                “(II) *determines the regional*  
19                                *agenda of the laboratory, consistent*  
20                                *with the priority research and develop-*  
21                                *ment needs identified in section*  
22                                *405(b)(3); and*

23                                “(ii) *reflects a balanced representation*  
24                                *of the States in the region, as well as the in-*

1            *terests and concerns of regional constitu-*  
2            *encies;*

3            *“(B) comply with the standards established*  
4            *by the Assistant Secretary and the Board under*  
5            *section 405A;*

6            *“(C) coordinate its activities, collaborate,*  
7            *and regularly exchange information with the in-*  
8            *stitutes established under section 405C, the Na-*  
9            *tional Diffusion Network, and its Developer*  
10           *Demonstrator and State Facilitator projects,*  
11           *learning grant institutions and district edu-*  
12           *cation agents assisted under subsection (i), the*  
13           *ERIC Clearinghouses, and other entities engages*  
14           *in technical assistance and dissemination activi-*  
15           *ties which are supported by other Offices of the*  
16           *Department of Education; and*

17           *“(D) allocate its resources to and within*  
18           *each State in a manner which reflects the need*  
19           *for assistance, taking into account such factors*  
20           *as the proportion of economically disadvantaged*  
21           *students, the increased cost burden of service de-*  
22           *livery in areas of sparse populations, and any*  
23           *special initiatives being undertaken by State, in-*  
24           *termediate, local education agencies, or Bureau*



1           *of Indian Affairs-funded schools which may re-*  
2           *quire special assistance from the laboratory.*

3           “(6) *EVALUATIONS.*—*The Assistant Secretary*  
4           *shall provide for periodic, independent evaluations of*  
5           *each of the laboratories in carrying out the duties de-*  
6           *scribed in paragraph (1) in accordance with the*  
7           *standards developed by the Assistant Secretary and*  
8           *the Board and transmit the results of such evalua-*  
9           *tions to the relevant committees of the Congress, the*  
10          *Board, and the appropriate regional educational lab-*  
11          *oratory board.*

12          “(7) *INVITATION REGARDING COMPETITION FOR*  
13          *AWARDS OF ASSISTANCE.*—*Prior to awarding a grant*  
14          *or entering into a contract under this section, the Sec-*  
15          *retary shall invite applicants, including the existing*  
16          *regional educational laboratories, to compete for such*  
17          *award through notice in the Federal Register and in*  
18          *the publication of the Department of Commerce*  
19          *known as the Commerce Business Daily.*

20          “(8) *APPLICATION FOR ASSISTANCE.*—*Each ap-*  
21          *plication for assistance under this subsection shall—*

22                  “(A) *cover not less than a 5-year period;*

23                  “(B) *describe how the applicant would*  
24                  *carry out the activities required by this sub-*  
25                  *section; and*

1           “(C) contain such additional information  
2           as the Secretary may reasonably require.

3           “(9) *RULE OF CONSTRUCTION.*—No regional edu-  
4           cational laboratory receiving assistance under this  
5           subsection shall, by reason of the receipt of that assist-  
6           ance, be ineligible to receive any other assistance from  
7           the Department as authorized by law.

8           “(10) *ADVANCE PAYMENT SYSTEM.*—Each re-  
9           gional educational laboratory shall participate in the  
10          advance payment system at the Department of Edu-  
11          cation.

12          “(i) *GOALS 2000 COMMUNITY PARTNERSHIPS PRO-*  
13          *GRAM.*—

14               “(1) *PURPOSE.*—The purpose of the Goals 2000  
15               Community Partnerships program is to improve the  
16               quality of learning and teaching in the Nation’s most  
17               impoverished urban and rural communities by sup-  
18               porting sustained collaborations between universities,  
19               schools, businesses, and communities which apply and  
20               utilize the results of educational research and develop-  
21               ment.

22               “(2) *GRANTS FOR GOALS 2000 COMMUNITY PART-*  
23               *NERSHIPS.*—The Assistant Secretary is authorized to  
24               make grants to eligible entities to support the estab-  
25               lishment of Learning Grant Institutions and District

1       *Education Agents and the activities authorized under*  
2       *this subsection within eligible communities.*

3               “(3) *DEFINITION OF ELIGIBLE ENTITY AND ELI-*  
4       *GIBLE COMMUNITY.—For the purposes of this sub-*  
5       *section:*

6               “(A) *The term ‘eligible entity’ includes any*  
7       *institution of higher education, regional edu-*  
8       *cation laboratory, National Diffusion Network*  
9       *project, national research and development cen-*  
10       *ter, public or private nonprofit corporation, or*  
11       *any consortium thereof that—*

12               “(i) *has demonstrated experience, ex-*  
13       *pertise and commitment in serving the edu-*  
14       *cational needs of at-risk students; and*

15               “(ii) *is, by virtue of its previous ac-*  
16       *tivities, knowledgeable about the unique*  
17       *needs and characteristics of the community*  
18       *to be served.*

19               “(B) *The term ‘eligible community’ means a*  
20       *unit of general purpose local government (such*  
21       *as a city, township, or village), a*  
22       *nonmetropolitan county, tribal village, or a geo-*  
23       *graphically distinct area (such as a school dis-*  
24       *trict, school attendance area, ward, precinct or*

neighborhood), or any group of such entities  
that—

“(i) has a population of not less than  
200,000 and not more than 300,000; and

“(ii) in which not less than one-half of  
the school-age children have family incomes  
which are below the poverty line, as deter-  
mined by the 1990 United States Census,  
participation in the National School Lunch  
program, or other current, reliable data  
concerning family income.

“(4) GOALS 2000 COMMUNITY PARTNERSHIPS.—  
Each learning grant institution receiving assistance  
under this subsection shall establish a Goals 2000  
community partnership to carry out the activities au-  
thorized under this subsection. Such partnership—

“(A) shall include the participation of one  
or more local educational agencies, institutions  
of higher education, community-based organiza-  
tions, parents, teachers, and the business commu-  
nity;

“(B) may include the participation of  
human, social service and health care agencies,  
Head Start and child care agencies, libraries,  
museums, employment and training agencies,

1           *and the State educational agency or tribal de-*  
2           *partment of education; and*

3           *“(C) shall be broadly representative of all*  
4           *segments of the community in which the activi-*  
5           *ties will be carried out.*

6           *“(5) COMPREHENSIVE GOALS 2000 PLAN.—Each*  
7           *Goals 2000 Community Partnership shall develop a*  
8           *comprehensive plan for assuring educational success*  
9           *and high achievement for all students in the commu-*  
10          *nity. Each such plan shall—*

11           *“(A) adopt the 6 national educational goals;*

12           *“(B) identify additional needs and goals for*  
13           *educational improvement within the community;*

14           *“(C) focus on helping all students reach*  
15           *challenging content and student performance*  
16           *standards;*

17           *“(D) be consistent with the State and local*  
18           *plan for system-wide education improvement de-*  
19           *veloped pursuant to the Goals 2000: Educate*  
20           *America Act;*

21           *“(E) establish a comprehensive community-*  
22           *wide plan for achieving such goals; and*

23           *“(F) develop a means for measuring the*  
24           *progress of the community in meeting such goals*  
25           *for improvement.*

1           “(6) *IMPLEMENTATION OF COMMUNITY-WIDE*  
2     *PLAN.—Each Goals 2000 Community Partnership*  
3     *shall, utilizing the District Education Agent, provide*  
4     *assistance in implementing the community-wide plan*  
5     *for educational improvement by—*

6           “(A) *supporting innovation, restructuring,*  
7     *and continuous improvement in educational*  
8     *practice by—*

9           “(i) *disseminating information*  
10     *throughout the community about exemplary*  
11     *and promising educational programs, prac-*  
12     *tices, products, and policies;*

13          “(ii) *evaluating the effectiveness of fed-*  
14     *erally funded educational programs within*  
15     *the community and identifying changes in*  
16     *such programs which are likely to improve*  
17     *student achievement;*

18          “(iii) *identifying, selecting and rep-*  
19     *licating exemplary and promising edu-*  
20     *cational programs, practices, products, and*  
21     *policies in both in and out-of-school set-*  
22     *tings;*

23          “(iv) *applying educational research to*  
24     *solve specific problems in the classroom,*

1           *home and community which impede learn-*  
2           *ing and student achievement; and*

3           “(v) *supporting research and develop-*  
4           *ment by teachers, school administrators,*  
5           *and other practitioners which promise to*  
6           *improve teaching and learning and the*  
7           *organization of schools;*

8           “(B) *improving the capacity of educators,*  
9           *school administrators, child care providers and*  
10          *other practitioners to prepare all students to*  
11          *reach challenging standards and to attain the*  
12          *goals set out in the comprehensive community-*  
13          *wide plan through such means as—*

14               “(i) *the training of prospective and*  
15               *novice teachers (including preschool and*  
16               *early childhood educators) in a school set-*  
17               *ting under the guidance of master teachers*  
18               *and teacher educators;*

19               “(ii) *training and other activities to*  
20               *promote the continued learning and profes-*  
21               *sional development of experienced teachers,*  
22               *related services personnel, school adminis-*  
23               *trators to assure that they develop the*  
24               *subject matter and pedagogical expertise*

1           *needed to prepare all students to reach chal-*  
2           *lenging standards;*

3           *“(iii) training and other activities to*  
4           *increase the ability of prospective, novice,*  
5           *and experienced teachers to teach effectively*  
6           *at-risk students, students with disabilities,*  
7           *students with limited English language pro-*  
8           *ficiency, and students from diverse cultural*  
9           *backgrounds; and*

10          *“(iv) programs to enhance teaching*  
11          *and classroom management skills, including*  
12          *school-based management skills, of novice,*  
13          *prospective, and experienced teachers;*

14          *“(C) promoting the development of an inte-*  
15          *grated system of service delivery to children from*  
16          *birth through age 18 and their families by facili-*  
17          *tating linkages and cooperation among—*

18                *“(i) local education agencies;*

19                *“(ii) health and social services agencies*  
20                *and providers;*

21                *“(iii) juvenile justice and criminal jus-*  
22                *tice agencies;*

23                *“(iv) providers of employment train-*  
24                *ing; and*



1                   “(v) child care, Head Start, and other  
2                   early childhood agencies; and

3                   “(D) mobilizing the resources of the commu-  
4                   nity in support of student learning and high  
5                   achievement by facilitating effective partnerships  
6                   and collaboration among—

7                   “(i) local education agencies;

8                   “(ii) postsecondary educational insti-  
9                   tutions;

10                  “(iii) public libraries;

11                  “(iv) parents;

12                  “(v) community-based organizations,  
13                  neighborhood associations, and other civic  
14                  and community organizations;

15                  “(vi) child care, Head Start, and other  
16                  early childhood agencies;

17                  “(vii) churches, synagogues and other  
18                  religious institutions;

19                  “(viii) labor organizations; and

20                  “(ix) business and industry.

21                  “(7) *ADDITIONAL REQUIREMENTS.*—In carrying  
22                  out its responsibilities under this subsection, each  
23                  partnership receiving assistance under this subsection  
24                  shall—

1           “(A) appoint a District Education Agent  
2           who shall be responsible, on a full-time basis, for  
3           directing the implementation of the community-  
4           wide plan. Such individual shall have signifi-  
5           cant experience and expertise in the field of edu-  
6           cation in—

7                   “(i) addressing the needs of at-risk stu-  
8                   dents; and

9                   “(ii) conducting educational research  
10                  and promoting the application of the results  
11                  of such research to educational practice;

12           “(B) provide for such other professional and  
13           support personnel as may be necessary to imple-  
14           ment the community-wide plan under the direc-  
15           tion of the District Education Agent; and

16           “(C) coordinate its activities and work co-  
17           operatively with the National Diffusion Network  
18           State facilitators, regional laboratories, and  
19           other components of the Office to utilize most ef-  
20           fectively Federal research, development, and dis-  
21           semination resources in implementing the com-  
22           munity-wide plan.

23           “(8) APPLICATION FOR GRANTS.—Any eligible  
24           entity desiring a grant under this subsection shall  
25           submit an application to the Assistant Secretary at

1 *such time, in such manner, and accompanied by such*  
2 *information as the Assistant Secretary may reason-*  
3 *ably require. Each such application shall—*

4 *“(A) include a comprehensive plan for meet-*  
5 *ing the objectives and requirements of this sub-*  
6 *section; and*

7 *“(B) provide evidence of support for the ap-*  
8 *plication from local elected officials, the State*  
9 *education agency, the local education agency,*  
10 *parents, local community leaders, businesses, and*  
11 *other appropriate organizations.*

12 *“(9) PRIORITY IN MAKING GRANTS; DURATION*  
13 *AND AMOUNT OF GRANT.—Each grant made under*  
14 *this subsection shall be—*

15 *“(A) awarded on a competitive basis, with*  
16 *first priority given to those applications from*  
17 *communities with the greatest percentage of*  
18 *school-age children in families with poverty-level*  
19 *incomes;*

20 *“(B) made for a 5-year period, with fund-*  
21 *ing for the second and each successive year in*  
22 *this period conditioned upon a determination by*  
23 *the Assistant Secretary that the grant recipient*  
24 *has complied with the conditions of the grants*  
25 *during the previous year; and*

1           “(C) an amount equal to not less than  
2           \$1,000,000 per year.

3           “(10) LIMITATION OF ONE GRANT PER CONGRES-  
4           SIONAL DISTRICT.—Not more than one grant shall be  
5           awarded within a single congressional district.

6           “(11) TECHNICAL ASSISTANCE; EVALUATIONS.—  
7           In administering the program authorized under this  
8           subsection, the Assistant Secretary shall, either di-  
9           rectly or through grant or contract with an eligible  
10          nonprofit agency—

11           “(A) upon request, provide technical assist-  
12          ance to eligible entities to assist in the develop-  
13          ment of a comprehensive plan to meet the re-  
14          quirements of this subsection and in the prepara-  
15          tion of applications for assistance;

16           “(B) regularly provide technical assistance  
17          to learning grant institutions receiving assist-  
18          ance under this subsection to assist with the de-  
19          velopment and implementation of the commu-  
20          nity-wide plan for educational improvement;

21           “(C) provide for an independent evaluation  
22          of the activities assisted under this subsection,  
23          including—

24           “(i) the impact of the Goals 2000 Com-  
25          munity Partnerships program on children

1           *and families within each community, in-*  
 2           *cluding (but not limited to) effects on the*  
 3           *extent of educational achievement, rates of*  
 4           *school retention and completion, and enroll-*  
 5           *ment in program postsecondary educational*  
 6           *programs; and*

7           “(ii) *whether an intensified effort to*  
 8           *apply and utilize educational research with-*  
 9           *in a limited geographic area significantly*  
 10          *improves student learning and achievement;*  
 11          *and*

12          “(D) *plan for the expansion of the Goals*  
 13          *2000 Community Partnerships program*  
 14          *throughout the remainder of the Nation begin-*  
 15          *ning in fiscal year 1998.*

16          “(j) *TEACHER RESEARCH DISSEMINATION NET-*  
 17          *WORK.—*

18          “(1) *FINDINGS.—The Congress finds that—*

19               “(A) *education research, including research*  
 20               *funded by the Office, is not having the impact on*  
 21               *the Nation’s schools that such research should;*

22               “(B) *relevant education research and result-*  
 23               *ing solutions are not being adequately dissemi-*  
 24               *nated to the teachers that need such research and*  
 25               *solutions;*

1           “(C) there are not enough linkages between  
2           the research and development centers assisted  
3           under this section, the regional educational lab-  
4           oratories described in subsection (k), the Na-  
5           tional Diffusion Network State facilitators, the  
6           Education Resources Information Clearing-  
7           houses, and the public schools, to ensure that re-  
8           search on effective practice is disseminated and  
9           technical assistance provided to all teachers;

10           “(D) the average teacher has almost no time  
11           to plan or engage in a professional dialogue with  
12           such teacher’s peers about strategies for improv-  
13           ing learning;

14           “(E) teachers do not have direct access to  
15           information systems or networks;

16           “(F) teachers have little control over what  
17           in-service education teachers will be offered; and

18           “(G) individual teachers are not encouraged  
19           to move beyond the walls of their classrooms to  
20           identify and use outside resources.

21           “(2) PROGRAM AUTHORIZED.—

22           “(A) The Assistant Secretary shall enter  
23           into contracts with regional educational labora-  
24           tories, in partnership with 1 or more institu-  
25           tions of higher education in each State of its re-

1        *gion, the National Diffusion Network, and other*  
2        *entities with demonstrated experience, expertise,*  
3        *and commitment in the areas of teacher research*  
4        *or teacher professional development, such as the*  
5        *national research and development centers, pro-*  
6        *fessional teacher organizations, and other quali-*  
7        *fied organizations and associations, in the region*  
8        *to carry out activities described in paragraph*  
9        *(3).*

10        *“(B) The Assistant Secretary shall enter*  
11        *into contracts under this subsection in an equi-*  
12        *table manner and shall provide assistance on the*  
13        *basis of the number of schools, teachers, and stu-*  
14        *dents in each regional educational laboratory re-*  
15        *gion with attention given to populations with*  
16        *special needs and the increased cost burden of*  
17        *service delivery in regions of sparse population.*

18        *“(C) Contracts under this subsection shall*  
19        *be awarded for a period of not less than 3 years.*

20        *“(3) PROGRAM ACTIVITIES.—*

21        *“(A) Each regional partnership described in*  
22        *paragraph (2)(A) entering into a contract under*  
23        *this subsection shall carry out programs of pro-*  
24        *viding training to teachers relevant to the needs*  
25        *and problems of the schools and school districts*

1       where teachers, who participate in the programs,  
2       serve. The purpose of such programs shall be  
3       to—

4               “(i) educate teachers on how to acquire  
5       information about education research find-  
6       ings and best practices;

7               “(ii) provide teachers with current  
8       education research and development theory,  
9       skills, and practice as shall enable them to  
10      modify, design, develop, and adapt such  
11      findings and practices to effect local district  
12      and classroom outcomes that improve edu-  
13      cation;

14              “(iii) enable teachers to become ac-  
15      tively involved in the applied research and  
16      development process;

17              “(iv) provide teachers the ability to be-  
18      come leaders in the utilization of applied  
19      research and to become active participants  
20      in the Federal research and development  
21      partnership;

22              “(v) enhance the ability of teachers to  
23      evaluate and choose effective education pro-  
24      grams and curricula; and



1           “(vi) facilitate collaboration between  
2           the teacher change agent and the National  
3           Diffusion Network State facilitator.

4           “(B) Teachers that participate in training  
5           assisted under this subsection shall be known as  
6           ‘teacher change agents’.

7           “(C) The program described in subpara-  
8           graph (A) shall provide teacher change agents  
9           with training during the summer and at such  
10          other times as agreed to by the district, which  
11          shall—

12          “(i) give teacher change agents knowl-  
13          edge and guidance in using the existing  
14          educational improvement services and re-  
15          sources funded by the United States Depart-  
16          ment of Education and other major research  
17          organizations, including the products and  
18          work of the regional educational labora-  
19          tories, professional teacher organizations,  
20          the National Diffusion Network, institutions  
21          of higher education, the Educational Re-  
22          search Information Centers, National Re-  
23          search Centers, National Research Insti-  
24          tutes, State Departments of Education, local  
25          education agencies, and other nonprofit or-

ganizations participating in the improvement of education;

“(ii) provide teacher change agents with indepth knowledge about a number of products, programs, and processes developed by entities described in clause (i) that the teacher change agents judge most relevant to the needs of the district or districts they will serve;

“(iii) inform teacher change agents about government programs, including, but not limited to, programs in government agencies other than the Department of Education, which offer research opportunities, fellowships, and funding; and

“(iv) provide teacher change agents with instruction in technical assistance skills in order to increase their capacity to aid district and school site teacher teams responsible for leading school improvement activities at the district and school site level.

“(D) The school year activities described in subparagraph (A) shall provide teacher change

1       *agents participating in such program during the*  
2       *school year with—*

3               “(i) *opportunities to meet with other*  
4               *teacher change agents to exchange experi-*  
5               *ences;*

6               “(ii) *additional training or assistance*  
7               *as needed or requested;*

8               “(iii) *updates in education research,*  
9               *application, and findings; and*

10              “(iv) *opportunities to provide feedback*  
11              *into the educational research infrastructure*  
12              *regarding needed research and ways to im-*  
13              *prove the development and dissemination of*  
14              *information.*

15              “(E) *The regional partnership program*  
16              *may support educational improvement and re-*  
17              *form activities such as—*

18                      “(i) *training in applied research meth-*  
19                      *odologies;*

20                      “(ii) *assistance in conducting applied*  
21                      *research;*

22                      “(iii) *teacher research sabbaticals;*

23                      “(iv) *video conferencing for additional*  
24                      *training in order to reduce travel time and*  
25                      *expenses;*

1           “(v) training in developing and imple-  
2           menting effective teacher in-service training;

3           “(vi) training in change management,  
4           including strategies for restructuring  
5           schools, building local capacity, and gen-  
6           erally strengthening the culture of schools so  
7           that schools are conducive and supportive of  
8           change, including training in interpersonal  
9           and leadership skills; and

10          “(vii) training in the appropriate use  
11          of technology to assist classroom teachers.

12          “(F) *TEACHER RESPONSIBILITIES.*—Teach-  
13          er change agents shall, during the school year—

14               “(i) meet with other teachers and dis-  
15               trict or school site teacher teams to provide  
16               other teachers with knowledge about how to  
17               acquire information regarding education re-  
18               search findings and best practices, includ-  
19               ing what resources are available from the  
20               Department of Education and how to ob-  
21               tain products and technical services from  
22               the Department;

23               “(ii) meet with the National Diffusion  
24               Network State Facilitator to coordinate and

1           *not duplicate efforts in the dissemination of*  
2           *exemplary educational programs;*

3           “(iii) *help interested schools identify*  
4           *resources needed to address the school’s*  
5           *needs and act as liaison between the school*  
6           *and the appropriate resource entities, such*  
7           *as regional educational laboratories, centers,*  
8           *national institutes, institutions of higher*  
9           *education, professional teacher organiza-*  
10          *tions, scholars, consultants, and other*  
11          *schools and school districts that may be of*  
12          *assistance;*

13          “(iv) *teach other teachers how to use*  
14          *the products, programs, and processes in*  
15          *which the teacher was trained pursuant to*  
16          *paragraph (2)(C)(II);*

17          “(v) *work with other teachers and*  
18          *teacher teams to adapt identified exemplary*  
19          *practices, programs, and research results to*  
20          *implement school site or classroom improve-*  
21          *ments as desired, and provide follow-up ac-*  
22          *tivities throughout a 2-year period to ensure*  
23          *the successful adaptation and implementa-*  
24          *tion of such programs in local schools; and*

1           “(vi) *inform teachers about how they*  
2           *can obtain Federal research funding, fellow-*  
3           *ships, and sabbaticals.*

4           “(G) *APPLICATION.—*

5           “(i) *IN GENERAL.—Each regional*  
6           *partnership desiring a contract under this*  
7           *subsection shall submit to the Secretary an*  
8           *application at such time, in such manner,*  
9           *and accompanied by such information as*  
10          *the Assistant Secretary may reasonably re-*  
11          *quire.*

12          “(ii) *CONTENTS.—Each application*  
13          *described in clause (i) shall—*

14               “(I) *contain a plan acceptable to*  
15               *affected States and local education*  
16               *agencies for conducting the program to*  
17               *be assisted under this section;*

18               “(II) *contain assurances that the*  
19               *partnership requirements are fulfilled;*

20               “(III) *contain assurances that*  
21               *both district and school site teacher*  
22               *teams will be established to work in*  
23               *conjunction with the teacher change*  
24               *agent;*

1                   “(IV) contain a plan for the selec-  
2                   tion of district and school site teacher  
3                   team participants and others as  
4                   deemed appropriate by the teacher  
5                   change agent and the regional partner-  
6                   ship;

7                   “(V) contain assurances that the  
8                   regional partnership, in conjunction  
9                   with the participating school districts,  
10                  shall provide each teacher change agent  
11                  with a stipend for the entire calendar  
12                  year commensurate with such teacher’s  
13                  salary and travel expenses, to permit a  
14                  teacher to participate in such program  
15                  without incurring loss of income;

16                  “(VI) contain assurances that  
17                  each teacher change agent participat-  
18                  ing in the program shall receive an  
19                  award of not more than \$10,000 to be  
20                  used by such teacher during the school  
21                  year of such teacher’s participation to  
22                  purchase materials, support, and co-  
23                  ordinate with other teachers or site  
24                  teacher teams in the school district;

1           “(VII) contain assurances that  
2           such regional partnerships shall pro-  
3           vide not more than \$5,000 to each  
4           school district or group of school dis-  
5           tricts having an individual from such  
6           district or districts participating in  
7           the program assisted under this section  
8           for each of the 2 years following such  
9           participation to enable such school dis-  
10          trict or districts to continue efforts to  
11          improve dissemination of effective  
12          practices and programs within the dis-  
13          trict or districts;

14           “(VIII) contain assurances that  
15          representatives of State educational  
16          agencies, intermediate educational  
17          agencies, teacher centers, teacher edu-  
18          cators at institutions of higher edu-  
19          cation, and school district in-service or  
20          curriculum specialists will be eligible  
21          to participate in the program assisted  
22          under this section if such individuals  
23          pay the cost of their participation; and

24           “(IX) contain an assurance that  
25          such regional partnership shall permit



1           *a teacher to participate in the program*  
2           *only after such partnership determines*  
3           *that the teacher will be afforded a full*  
4           *opportunity by the district to perform*  
5           *such teacher's responsibilities described*  
6           *in paragraph (3)(F).*

7           “(4) *TEACHER SELECTION AND ELIGIBILITY.*—

8                 “(A) *NOMINATION.*—*Teacher participants*  
9                 *in the program assisted under this subsection*  
10                *shall be nominated by their peers at the school*  
11                *district level.*

12               “(B) *ELIGIBILITY.*—*Each school district or*  
13                *group of school districts desiring to have teachers*  
14                *from such district or districts participate in the*  
15                *program assisted under this subsection shall pro-*  
16                *vide the regional partnership with the names of*  
17                *such teachers, and an indication of the type of*  
18                *issues or problems on which each such teacher*  
19                *would like to receive information and training.*

20               “(C) *SELECTION.*—

21                   “(i) *Teacher participants shall be se-*  
22                    *lected by the regional partnerships in con-*  
23                    *sultation with the State educational agen-*  
24                    *cies in the region. Teacher participants*  
25                    *shall be selected in such a manner so as to*

1           *ensure an equitable representation of such*  
2           *teachers by State and school enrollment*  
3           *within the region.*

4           “(ii) *The number of teachers selected*  
5           *each year shall be determined in accordance*  
6           *with the amount of funding received by the*  
7           *regional partnership.*

8           “(5) *INDEPENDENT EVALUATION.—*

9           “(A) *IN GENERAL.—The Assistant Secretary*  
10          *shall provide for an independent evaluation of*  
11          *the program assisted under this subsection to de-*  
12          *termine the net impact and cost effectiveness of*  
13          *the program and the reactions of teachers and*  
14          *school districts participating in such program,*  
15          *including any career plan changes of participat-*  
16          *ing teachers.*

17          “(B) *DATE.—The evaluation described in*  
18          *subparagraph (A) shall be submitted to the Con-*  
19          *gress within 6 months after the completion of the*  
20          *third year of the program.*

21          “(C) *FUNDING.—The Assistant Secretary*  
22          *may reserve not more than \$250,000 of the*  
23          *amount appropriated under section 405(i)(2)(E)*  
24          *to carry out the evaluation described in this*  
25          *paragraph.”.*

1     **PART E—NATIONAL LIBRARY OF EDUCATION**

2     **SEC. 251. ESTABLISHMENT WITHIN OFFICE OF EDU-**  
 3                 **CATIONAL RESEARCH AND IMPROVEMENT.**

4         *Part A of the General Education Provisions Act, as*  
 5     *amended by section 241 of this Act, is amended by inserting*  
 6     *after section 405C the following new section:*

7                 “NATIONAL LIBRARY OF EDUCATION

8                 “SEC. 405D. (a) *IN GENERAL.*—*There is established*  
 9     *within the Office a National Library of Education (here-*  
 10    *after in this section referred to as the ‘Library’), which shall*  
 11    *be maintained as a governmental activity.*

12               “(b) *FUNCTIONS OF LIBRARY.*—*The functions of the*  
 13    *Library are—*

14               “(1) *to provide a central location within the*  
 15    *Federal Government for information about education;*

16               “(2) *to provide comprehensive reference services*  
 17    *on matters related to education to employees of the*  
 18    *Department of Education and its contractors and*  
 19    *grantees, other Federal employees, and members of the*  
 20    *public; and*

21               “(3) *to promote greater cooperation and resource*  
 22    *sharing among providers and repositories of edu-*  
 23    *cation information in the United States.*

24               “(c) *ONE-STOP INFORMATION AND REFERRAL SERV-*  
 25    *ICE.*—*The Library shall establish and maintain a central*  
 26    *information and referral service to respond to telephonic,*

1 *mail and electronic and other inquiries from the public con-*  
2 *cerning—*

3           “(1) *programs and activities of the Department*  
4 *of Education;*

5           “(2) *publications produced by the Department of*  
6 *Education and, to the extent feasible, education relat-*  
7 *ed publications produced by the Departments of*  
8 *Labor, Health and Human Services, and other Fed-*  
9 *eral agencies;*

10           “(3) *services and resources available to the pub-*  
11 *lic through the Office, including the ERIC Clearing-*  
12 *houses, the research institutes, and the national edu-*  
13 *cation dissemination system;*

14           “(4) *statistics and other information produced*  
15 *by the National Center for Education Statistics; and*

16           “(5) *referrals to additional sources of informa-*  
17 *tion and expertise about educational issues which*  
18 *may be available through educational associations*  
19 *and foundations, the private sector, colleges and uni-*  
20 *versities, libraries and bibliographic databases.*

21 *The Library shall maintain and actively publicize a toll-*  
22 *free telephone number through which public inquiries to the*  
23 *Library may be made.*

24           “(d) *COMPREHENSIVE REFERENCE SERVICES.—The*  
25 *Library shall, to the extent feasible, provide for the delivery*

1 *of a full range of reference services on subjects related to*  
2 *education to employees of the Department and its contrac-*  
3 *tors and grantees, other Federal employees, and members*  
4 *of the general public. Such services may include—*

5 *“(1) specialized subject searches;*

6 *“(2) search and retrieval of electronic databases;*

7 *“(3) document delivery by mail and facsimile*  
8 *transmission;*

9 *“(4) research counseling, bibliographic instruc-*  
10 *tion, and other training services;*

11 *“(5) interlibrary loan services; and*

12 *“(6) selective dissemination of information serv-*  
13 *ices.*

14 *The Library shall first give priority in the provision of ref-*  
15 *erence services to requests made by employees of the Depart-*  
16 *ment.*

17 *“(e) COOPERATION AND RESOURCE SHARING.—The*  
18 *Library shall promote greater cooperation and resource*  
19 *sharing among libraries and archives with significant col-*  
20 *lections in the area of education through such means as—*

21 *“(1) the establishment of information and re-*  
22 *source sharing networks among such entities;*

23 *“(2) the development of a national union list of*  
24 *education journals held by education libraries*  
25 *throughout the United States;*

1           “(3) the development of directories and indexes  
2           to textbook and other specialized collections held by  
3           education libraries throughout the United States; and

4           “(4) cooperative efforts to preserve, maintain  
5           and promote access to items of special historical value  
6           or interest.

7           “(f) ADMINISTRATION.—The Library shall be adminis-  
8           tered by an Executive Director who shall—

9           “(1) be appointed by the Assistant Secretary  
10           from among persons with significant training or ex-  
11           perience in library and information science;

12           “(2) serve for a renewable term of 5 years; and

13           “(3) be paid at not less than the minimum rate  
14           of basic pay payable for GS-15 of the General Sched-  
15           ule.

16           “(g) TASK FORCE.—

17           “(1) IN GENERAL.—The Assistant Secretary  
18           shall appoint a task force of librarians, scholars,  
19           teachers, parents, and school leaders (hereafter in this  
20           paragraph referred to as the ‘Task Force’) to provide  
21           advice on the establishment of the Library.

22           “(2) PREPARATION OF PLAN.—The Task Force  
23           shall prepare a workable plan to establish the Library  
24           and to implement the requirements of this section.

1           “(3) *CERTAIN AUTHORITIES.*—*The Task Force*  
2           *may identify other activities and functions for the Li-*  
3           *brary to carry out, except that such functions shall*  
4           *not be carried out until the Library is established and*  
5           *has implemented the requirements of this section.*

6           “(4) *REPORT.*—*The Task Force shall prepare*  
7           *and submit to the Assistant Secretary not later than*  
8           *6 months after the first meeting of the Task Force a*  
9           *report on the activities of the Library.*

10          “(h) *TRANSFER OF FUNCTIONS.*—*There are hereby*  
11          *transferred to the Library all functions of—*

12                 “(1) *the Department of Education Research Li-*  
13                 *brary;*

14                 “(2) *the Department of Education Reference Sec-*  
15                 *tion; and*

16                 “(3) *the Department of Education Information*  
17                 *Branch.*

18          “(i) *COLLECTION DEVELOPMENT POLICY.*—*Not later*  
19          *than 180 days after the enactment of the Educational Re-*  
20          *search, Development, and Dissemination Excellence Act, the*  
21          *Assistant Secretary shall promulgate a comprehensive col-*  
22          *lection development policy to govern the Library’s oper-*  
23          *ations, acquisitions, and services to users. Such collection*  
24          *development policy shall—*

1           “(1) be consistent with the functions of the Li-  
2       brary set out in subsection (b);

3           “(2) emphasize the acquisition and maintenance  
4       of a comprehensive collection of reference materials;  
5       and

6           “(3) avoid unnecessary duplication by putting a  
7       priority on meeting the information needs of the Li-  
8       brary’s users through cooperation and resource-shar-  
9       ing with other entities with significant collections in  
10      the field of education.

11          “(j) *ARREARAGE AND PRESERVATION.*—On the basis  
12      of the collection development policy promulgated under sub-  
13      section (h), the Executive Director shall develop a multiyear  
14      plan which shall set forth goals and priorities for actions  
15      needed to—

16           “(1) eliminate within 3 years the arrearage of  
17      uncataloged books and other materials in the Li-  
18      brary’s collections; and

19           “(2) respond effectively and systematically to the  
20      preservation needs of the Library’s collections, rely-  
21      ing, whenever possible, upon cooperative efforts with  
22      other institutions to preserve and maintain the  
23      usability of books and materials in the Library’s col-  
24      lections.”.



1     ***TITLE III—SAFE SCHOOLS ACT***  
2                     ***OF 1994***

3     ***SEC. 301. SAFE SCHOOLS PROGRAM AUTHORIZED.***

4         (a) *IN GENERAL.*—With funds appropriated under  
5     subsection (c)(1), the Secretary of Education shall make  
6     competitive grants to eligible local educational agencies to  
7     carry out projects designed to achieve Goal Six of the Na-  
8     tional Education Goals, which provides that by the year  
9     2000, every school in America will be free of drugs and vio-  
10    lence and will offer a disciplined environment conducive to  
11    learning, by helping to ensure that all schools are safe and  
12    free of violence.

13       (b) *MODEL PROJECT.*—The Secretary of Education,  
14    shall develop a written safe schools model so all schools can  
15    develop models that enable all students to participate re-  
16    gardless of any language barriers.

17       (c) *AUTHORIZATION OF APPROPRIATIONS AND RES-*  
18    *ERVATION.*—

19           (1) *AUTHORIZATION.*—There are authorized to be  
20    appropriated to carry out this Act \$50,000,000 for  
21    fiscal year 1994.

22           (2) *RESERVATION.*—From the sums appro-  
23    priated to carry out this Act for any fiscal year, the  
24    Secretary may reserve not more than 5 percent to

1       *carry out national leadership activities under section*  
2       *305.*

3       ***SEC. 302. ELIGIBLE APPLICANTS.***

4       *To be eligible to receive a grant under this Act, a local*  
5       *educational agency shall demonstrate in its application*  
6       *under section 303(a) that it—*

7               *(1) serves an area in which there is a high rate*  
8       *of—*

9                       *(A) homicides committed by persons be-*  
10                      *tween the ages 5 to 18, inclusive;*

11                     *(B) referrals of youth to juvenile court;*

12                     *(C) youth under the supervision of the*  
13                      *courts;*

14                     *(D) expulsions and suspensions of students*  
15                      *from school;*

16                     *(E) referrals of youth, for disciplinary rea-*  
17                      *sons, to alternative schools; or*

18                     *(F) victimization of youth by violence,*  
19                      *crime, or other forms of abuse; and*

20               *(2) has serious school crime, violence, and dis-*  
21       *cipline problems, as indicated by other appropriate*  
22       *data.*

1 **SEC. 303. APPLICATIONS AND PLANS.**

2       (a) *IN GENERAL.*—In order to receive a grant under  
3 this Act, an eligible local educational agency shall submit  
4 to the Secretary an application that includes—

5           (1) *an assessment of the current violence and*  
6 *crime problems in the schools to be served by the*  
7 *grant and in the community to be served by the ap-*  
8 *plicant;*

9           (2) *an assurance that the applicant has written*  
10 *policies regarding school safety, student discipline,*  
11 *and the appropriate handling of violent or disruptive*  
12 *acts;*

13           (3) *a description of the schools and communities*  
14 *to be served by the grant, the activities and projects*  
15 *to be carried out with grant funds, and how these ac-*  
16 *tivities and projects will help to reduce the current vi-*  
17 *olence and crime problems in the schools and commu-*  
18 *nities served;*

19           (4) *a description of educational materials to be*  
20 *developed in the second most predominate language of*  
21 *the schools and communities to be served by the grant,*  
22 *if applicable;*

23           (5) *if the local educational agency receives Fed-*  
24 *eral education funds, an explanation of how activities*  
25 *assisted under this Act will be coordinated with and*

1       *support any systemic education improvement plan*  
2       *prepared with such funds;*

3               *(6) the applicant's plan to establish school-level*  
4       *advisory committees, which include faculty, parents,*  
5       *staff, and students, for each school to be served by the*  
6       *grant and a description of how each committee will*  
7       *assist in assessing that school's violence and discipline*  
8       *problems as well as in designing appropriate pro-*  
9       *grams, policies, and practices to combat those prob-*  
10       *lems;*

11              *(7) the applicant's plan for collecting baseline*  
12       *and future data, by individual schools, to monitor vi-*  
13       *olence and discipline problems and to measure its*  
14       *progress in achieving the purpose of this Act;*

15              *(8) a description of how, in subsequent fiscal*  
16       *years, the grantee will integrate the violence preven-*  
17       *tion activities it carries out with funds under this Act*  
18       *with activities carried out under its comprehensive*  
19       *plan for drug and violence prevention adopted under*  
20       *the Safe and Drug-Free Schools and Communities Act*  
21       *of 1986;*

22              *(9) a description of how the grantee will coordi-*  
23       *nate its school crime and violence prevention efforts*  
24       *with education, law enforcement, judicial, health, so-*  
25       *cial service, programs supported under the Juvenile*

1     *Justice and Delinquency Prevention Act of 1974, and*  
2     *other appropriate agencies and organizations serving*  
3     *the community;*

4             *(10) a description of how the grantee will inform*  
5     *parents about the extent of crime and violence in*  
6     *their children's schools and maximize the participa-*  
7     *tion of parents in its violence prevention activities;*

8             *(11) an assurance that grant funds under this*  
9     *Act will be used to supplement and not supplant*  
10    *State and local funds that would, in the absence of*  
11    *funds under this Act, be made available by the appli-*  
12    *cant for the purposes of the grant;*

13            *(12) an assurance that the applicant will cooper-*  
14    *ate with, and provide assistance to, the Secretary in*  
15    *gathering statistics and other data the Secretary de-*  
16    *termines are necessary to determine the effectiveness*  
17    *of projects and activities under this Act or the extent*  
18    *of school violence and discipline problems throughout*  
19    *the Nation; and*

20            *(13) such other information as the Secretary*  
21    *may require.*

22            *(b) PRIORITIES.—In awarding grants under this Act,*  
23    *the Secretary shall take into account the special needs of*  
24    *local educational agencies located in both rural and urban*  
25    *communities.*

1 **SEC. 304. GRANTS AND USE OF FUNDS.**

2 (a) *DURATION AND AMOUNT OF GRANTS.*—Grants  
3 *under this Act may not exceed—*

4 (1) *1 year in duration; and*

5 (2) *\$3,000,000.*

6 (b) *USE OF FUNDS.*—

7 (1) *ACTIVITIES.*—A local educational agency  
8 *may use funds awarded under section 301(a) for 1 or*  
9 *more of the following activities:*

10 (A) *Identifying and assessing school vio-*  
11 *lence and discipline problems, including coordi-*  
12 *nating needs assessment activities with edu-*  
13 *cation, law-enforcement, judicial, health, social*  
14 *service, juvenile justice programs, gang preven-*  
15 *tion activities, and other appropriate agencies*  
16 *and organizations.*

17 (B) *Conducting school safety reviews or vio-*  
18 *lence prevention reviews of programs, policies,*  
19 *practices, and facilities to determine what*  
20 *changes are needed to reduce or prevent violence*  
21 *and promote safety and discipline.*

22 (C) *Planning for comprehensive, long-term*  
23 *strategies for combating and preventing school*  
24 *violence and discipline problems through the in-*  
25 *volvement and coordination of school programs*  
26 *with other education, law-enforcement, judicial,*

1        *health, social service, and other appropriate*  
2        *agencies and organizations.*

3                *(D) Activities which involve parents in ef-*  
4        *forts to promote school safety and prevent school*  
5        *violence;*

6                *(E) Community education programs involv-*  
7        *ing parents, businesses, local government, the*  
8        *medical, and other appropriate entities about the*  
9        *local educational agency's plan to promote school*  
10       *safety and reduce and prevent school violence*  
11       *and discipline problems and the need for com-*  
12       *munity support.*

13               *(F) Coordination of school-based activities*  
14       *designed to promote school safety and reduce or*  
15       *prevent school violence and discipline problems*  
16       *with related efforts of education, law-enforce-*  
17       *ment, judicial, health, social service, juvenile jus-*  
18       *tice programs, and other appropriate agencies*  
19       *and organizations.*

20               *(G) Developing and implementing violence*  
21       *prevention activities and materials, including—*

22                        *(i) conflict resolution and social skills*  
23                        *development for students, teachers, aides,*  
24                        *other school personnel, and parents;*

1                   (ii) disciplinary alternatives to expul-  
2                   sion and suspension of students who exhibit  
3                   violent or anti-social behavior;

4                   (iii) student-led activities such as peer  
5                   mediation, peer counseling, and student  
6                   courts; or

7                   (iv) alternative after-school programs  
8                   that provide safe havens for students, which  
9                   may include cultural, recreational, edu-  
10                  cational and instructional activities, and  
11                  mentoring and community service pro-  
12                  grams.

13                (H) Educating students and parents about  
14                the dangers of guns and other weapons and the  
15                consequences of their use.

16                (I) Developing and implementing innova-  
17                tive curricula to prevent violence in schools and  
18                training staff how to stop disruptive or violent  
19                behavior if it occurs.

20                (J) Supporting “safe zones of passage” for  
21                students between home and school through such  
22                measures as Drug- and Weapon-Free School  
23                Zones, enhanced law enforcement, and neighbor-  
24                hood patrols.



1                   (K) Counseling programs for victims and  
2                   witnesses of school violence and crime.

3                   (L) Evaluating its project under this Act.

4                   (M) The cost of administering the project of  
5                   the local educational agency under this Act.

6                   (N) Other activities that meet the purposes  
7                   of this Act.

8                   (2) OTHER LIMITATIONS.—A local educational  
9                   agency may use not more than 5 percent of its grant  
10                  for activities described in paragraph (1)(M).

11                  (3) CONSTRUCTION.—A local educational agency  
12                  may not use funds under this Act for construction.

13 **SEC. 305. NATIONAL LEADERSHIP.**

14                  To carry out the purpose of this Act, the Secretary may  
15                  use funds reserved under section 301(c)(2) to conduct na-  
16                  tional leadership activities such as research, program devel-  
17                  opment and evaluation, data collection, public awareness  
18                  activities, training and technical assistance, to provide  
19                  grants to noncommercial telecommunications entities for  
20                  the production and distribution of national video-based  
21                  projects that provide young people with models for conflict  
22                  resolution and responsible decisionmaking, and to conduct  
23                  peer review of applications under this Act. The Secretary  
24                  may carry out such activities directly, through interagency

1 *agreements, or through grants, contracts, or cooperative*  
2 *agreements.*

3 **SEC. 306. REPORTS.**

4 *(a) REPORT TO SECRETARY.—Local educational agen-*  
5 *cies that receive funds under this part shall submit to the*  
6 *Secretary a report not later than March 1, 1995, that de-*  
7 *scribes progress achieved in carrying out the plan required*  
8 *under section 303.*

9 *(b) REPORT TO CONGRESS.—The Secretary shall sub-*  
10 *mit to the Committee on Education and Labor of the House*  
11 *of Representatives a report not later than October 1, 1995,*  
12 *which contains a detailed statement regarding grant*  
13 *awards, activities of grant recipients, a compilation of sta-*  
14 *tistical information submitted by applicants under section*  
15 *303, and an evaluation of programs established under this*  
16 *part.*

17 **SEC. 307. DEFINITIONS.**

18 *For purposes of this Act:*

19 *(1) LOCAL EDUCATIONAL AGENCY.—The term*  
20 *“local educational agency” has the meaning given*  
21 *such term in section 1471(12) of the Elementary and*  
22 *Secondary Education Act of 1965 (20 U.S.C.*  
23 *2891(12)).*

- 1           (2) *SECRETARY*.—*The term “Secretary” means*  
2       *the Secretary of Education.*

Attest:

*Clerk.*

HR 1804 EAH—2  
HR 1804 EAH—3  
HR 1804 EAH—4  
HR 1804 EAH—5  
HR 1804 EAH—6  
HR 1804 EAH—7  
HR 1804 EAH—8  
HR 1804 EAH—9  
HR 1804 EAH—10  
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